

# Hawaiian Gazette.

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HONOLULU, H. T., FRIDAY, JANUARY 22, 1904—SEMI-WEEKLY.

WHOLE No. 2557.

## COUNTY ACT IS SURE TO BE AMENDED

### Congress Will Not Accept the Law as the Legislature Made It.

(MAIL SPECIAL TO THE ADVERTISER.)

WASHINGTON, D. C., Jan. 4.—Representative Spalding, of North Dakota, chairman of the House subcommittee, which has in charge the County bill for Hawaii, said today that he intended soon to call a meeting to further consider that measure. It will have to be amended somewhat before it is favorably reported. When Mr. Spalding had his favorable report nearly drawn, following the directions of the full Committee on Territories, he happened upon a copy of Gov. Dole's report. Therein he found on page 48 the Governor's unfavorable comment upon that measure in sending it back to the Legislature.

"Those defects, as the Governor saw them," said Mr. Spalding today, "seem not to have been corrected. We intend now to go over the bill before us very carefully to correct those defects as much as possible. The bill presented to the committee was in general a very good bill. It was carefully drawn. The provisions for preventing grafting and corruption are good. But I did not like the omission of any provision for recording deeds in the States and Territories on the mainland. That was apparently an oversight. The framers of the law evidently followed their old law, before annexation, making provisions only for the recording of Hawaiian deeds before officials in foreign countries."

"Then some of us did not like the provisions about income taxes and taxes on inheritances. But I think we shall let that stand."

Mr. Spalding seems of the opinion that the bill before the committee will become law with various modifications. However, it will necessarily be some little time before it gets before the House.

Ex-Attorney General E. P. Dole said today that he expected to remain in Washington a few days longer, after which he would go to New England to visit relatives, then returning again to Washington.

"My visit here," said he, "is of no public or political interest. It is entirely of a private character."

Further than that Mr. Dole had nothing to say for publication about his mission here.

ERNEST G. WALKER.

## CONGRESS MAY CONTROL HAWAII'S MANY FRANCHISES

### Ugly Phase of the Debate on the Electric Franchise Bill—Grosvenor Scores the Measure—Objections to Time Limit.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Jan. 10.—Franchise legislation for Hawaii has loomed up here as an important matter before Congress. This has suddenly developed, since my last letter, and was brought out by the refusal of the House last week to enact the legislation required for the electric light and power company on the island of Oahu. How the House sent the bill back to its Committee on Territories for further consideration is already known in Honolulu. The chief objections to the bill, in the view of members of the House, is the long-term franchise of 15 years, and unsatisfactory language about the charge for electric light and power. Representative Robinson, of Indiana, chairman of the sub-committee that considered the bill, believes it will become a law eventually. He said yesterday that he expected the company would send a representative from Honolulu to present information to the committee about the cost of electric lighting there. It is not expected that the bill will be presented to the House again for several weeks. The intention is to give ample time for consideration in committee.

Members of the committee outlined to me yesterday that the programme is to insert an amendment in the bill, by which Congress shall at any time have the right to alter, amend, or repeal the franchise. There will probably be some amendment affecting the charges for light and power, to make that portion of the bill more satisfactory. Cablegrams have been exchanged between members of the committee and members of the company within the last few days.

But of far more importance than the bill itself is the attitude of members of the House towards franchise legislation generally. This attitude seems on the whole rather unfair to the islands, because the organic law has imposed upon owners and holders of franchises the duty of coming to Congress to have bills, passed by the territorial legislature, approved by vote of Congress. In the case of other territories, the grants of franchises by their legislatures stand, unless Congress interposes. There is quite a distinction between the two requirements. For Hawaii there must be an affirmative vote by Congress. For other territories if Congress does not vote at all on the franchises, these franchises stand as valid.

The long term for which the franchises in Hawaii are granted by the legislature, is the chief item that aroused opposition here. A thirty-five year term looks very long to Congress. Then certain members of the committee discovered that there are also other franchise bills coming from Hawaii, requiring approval from Congress. This came from an examination of page 82 of Gov. Dole's last annual report. It was claimed, justly or unjustly, that some of these things were kept from the committee.

Then Congress is in a hostile frame of mind on the franchise question. It has had some bitter experiences with franchises here in the District of Columbia, for which Congress acts as a sort of Common council. The telephone, gas, and street railway corporations have in many instances defied Congress. The struggle has been a long and violent one. Senators and members are therefore very cautious and conservative in handling the franchise question for other communities.

MODIFYING HOME RULE.

The ugly phase of the situation for Hawaii is the talk in Congress, as the result of the electric light and power

(Continued on Page 5.)

## THE KUHIO ROW HAD ITS ORIGIN IN A SALOON

### The Washington Press and the Advertiser's Special Correspondent Give the Story In Detail—The Part of Clark.

The following is from the Washington Post of Jan. 6:

Jonah K. Kalaniana'ole, otherwise Prince Cupid, successor to Robert Wilcox as Hawaiian Delegate in Congress, was in the police court yesterday to answer a charge of intoxication and disorderly conduct.

Prince Cupid was arrested on Monday night after a tempestuous half hour in a downtown saloon, which was followed by a strenuous period in the patrol wagon and later in the First precinct police station. The rest of the night he spent in a cell, declaring the arrest an outrage and demanding vindication with every breath. Nor would he agree to being released on collateral, and only after being repeatedly assured of "fair and impartial treatment" in the police court yesterday would he consent to allow a friend to deposit \$5 as security for his appearance tomorrow, to which day the hearing was postponed.

Prince Cupid is a nephew of ex-Queen Liliuokalani.

THE ADVERTISER'S SPECIAL.

WASHINGTON, D. C., Jan. 10.—One of the liveliest themes of popular interest in the District of Columbia during the past seven days has been the arrest of Delegate Kalaniana'ole Monday evening last in front of Hiss' saloon on Thirteenth street, near Pennsylvania avenue, charged with disorderly conduct. It is stoutly claimed by the Delegate and his friends that a great injustice was done him and that he was neither intoxicated nor fighting. Nevertheless the press, particularly the sensational New York papers, have made the most of it.

Probably nothing whatever would have become public about the incident, however much or little the Hawaiian Delegate may have been to blame, but for his persistence in going to the police station and passing the night there, as a protest against the indignity to which he had been subjected. He refused to put up collateral or allow his friends to do so for him, which would have led to his immediate release. Then there was nothing to do but let the case go to the police court, where it is now awaiting trial. Some think, however, that it will be nolle prossed.

There was some disorder in the saloon, which is one of the most elaborate saloons in the city, and quarreling began. The Delegate went out on the sidewalk, while there was contention between the police and patrons inside. He refused to go away but asked some questions about the fighting, which led the police to make some remarks to him. It ended in talk about arresting him, whereat the Delegate is said to have defied them to do so. He understood that Senators, members of Congress and Delegates are immune from arrest. In that the Delegate entertained an erroneous opinion, for these men are all subject to arrest, according to the constitution for treason or breach of the peace and it has

frequently happened here that members of Congress have been put under arrest.

Holding such an opinion the Delegate naturally believed that a great injustice was being done him by the policemen, who took him away to the first precinct police station. He proclaimed to the officers that an outrage was being done him and the long and the short of it was that he practically insisted on remaining in a cell all of Monday night. If he had been willing to deposit collateral this could have been forfeited in court the next morning and nothing further would have been heard of the case.

Instead of that the Delegate insisted on fighting the case through the courts. The District Attorney is willing to nolle pross the case and finally Delegate Kuhio has consented to that but Policeman Garrison, who made the arrest, is holding out for a trial as a personal vindication of himself.

However little the Delegate deserved the notoriety to which he has been subjected, the incident is generally regretted here. It was unfortunate in more ways than one.

Mr. A. C. Gehr, of Honolulu, who has been here several weeks looking after his fight on the Kohala Ditch case, has gone west again. He has seen Secretary Hitchcock but states that there is nothing new to be said except that the fight is progressing. He will stay a week in Chicago and then make a hurried trip to Honolulu, expecting to return here in about 60 days. His interests are left in the hands of Ex-Senator Thurston and others during his absence.

Mr. Charles Clark, of Honolulu, who came here a few weeks ago to look after interests of Hilo and other Hawaiian matters, is back from a prolonged trip to New York and is at the National Hotel. He expects to remain here for some time. ERNEST G. WALKER.

ANOTHER PRESS STORY.

Prince Cupid, the Hawaiian Delegate to Congress, obtained a second postponement today of his trial on the charge of fighting on Monday night in front of a well known cafe in Thirteenth Street. His companion in trouble, Fred Clarke, was on hand and explained that the prince had matters of importance to attend to at the Capitol, and the case was continued until next Tuesday.

It was learned that an effort has been made by the prince to settle the case out of court, but such action is hardly probable. James L. Pugh, Assistant Corporation Counsel, is said to be willing to nolle pross the case, and Policeman Wolfe, who assisted in the arrest, is also willing. Policeman Garrison, who saw the mix-up and made the arrest, said this morning he would exercise his right and force the case to trial.

Policeman Garrison said that when arrested the prince, whose given name is Jonah Kuhio Kalaniana'ole, kicked up a general row, asserted that as a delegate in Congress he could not be arrested, and indulged in language which would vex the most phlegmatic man on the force. For that reason the policeman is determined to bring the case to trial and see whether or not a Hawaiian prince has the right to do anything he pleases in Washington without fear of arrest.—Washington Times.

## GEAR STOCK GOES DOWN, LANSING STOCK GOES UP

A. V. Gear was busy on the streets yesterday trying to work up sentiment in behalf of himself for Assessor. It was whispered by his friends that Kepoikai had promised him the job, contingent on the assent of Governor Carter. To reach the latter Gear hopes to enlist the aid of the Republican Territorial Committee, whose ticket he knifed last fall. Several members of the committee are reported to have said that they would look further.

The name of Theodore F. Lansing has been favorably mentioned for assessor. His immigration office was discontinued a short time ago and he is available for the job. The need of having an honest man for Assessor is so marked that Mr. Lansing is one naturally to be thought of. He is a man of unblemished record and a Republican who has never intrigued against his party.

It is thought likely that all the grafters would be out for the Assessorship if they had studied up its possibilities. There is no office in the Territory which is so full of boodle opportunities. The chance to use assessments for blackmail is patent. On this account it is the duty of the authorities to exercise the utmost care in making a choice. The taxpayers have a right to look to them for protection.

Apocryph of the Galbraith incident, which still causes much talk, the Advertiser has received the following letter from a member of the local bar:

Editor Advertiser: In the Davis disbarment case, Justice Galbraith may have inadvertently shown that he does not expect a re-appointment. Even as a politician of a coarse type, he disgraced himself. His associates, Frear and Perry, were individually the judges of their own competency to sit, and it was none of Galbraith's judicial business. He might have passed on his own competency and, if he had been honest with himself, he would openly have confessed his subservience to the old Humphreys clique. There was not even a pretext, much less a plausible reason, for the attack upon Frear and Perry, which was merely an impudent attempt to bully them out of the case. They only performed their duty, but still deserve credit for calling the bluff. Disrespect for Courts is a crime. For an associate justice to leave the merits of a case to vent personal spite against the other members of the Court is worse than a crime—it is a blunder. Stupidity and venom are the attributes of a not-house. Galbraith is up to his neck in mud, and his head will soon disappear. Vale Galbraith. There will be no funeral ceremonies.

## ASK CZAR TO ACCEPT HAGUE SETTLEMENT

### Peace Advocates Get a Characteristic Answer From Russian Chancellery.

(ASSOCIATED PRESS CABLEGRAMS.)

LONDON, Jan. 22.—Sixty advocates of arbitration have sent telegrams to the Czar and the Mikado, urging reference of the difficulties between Russia and Japan to the tribunal at The Hague. It is stated that Russia acquiesces on condition that Korea and Manchuria shall remain amenable to Russia politically.

TOKIO, Jan. 22.—The belief in a peaceful settlement between Russia and Japan is growing. Fifteen million dollars have already been spent by this country on war preparations out of a treasury surplus of twenty-five millions.

SEOUL, Jan. 22.—Seven Ministers of State have resigned. An insurrection is threatened in the Southern provinces because of official oppression.

LONDON, England, Jan. 21.—Lord Lansdowne is now confident that war between Russia and Japan will be averted.

## EVANS' SQUADRON FOR OLONGAPO.

WASHINGTON, Jan. 22.—Rear Admiral Evans' battleship and cruiser squadron has been ordered to Olongapo, (Subig Bay.)

## DOWIE ON HIS WAY.

SAN FRANCISCO, Jan. 22.—Dowie the Zionist sailed for Honolulu and Sydney today.

## LIGHT LET INTO FIDELITY INSURANCE CO'S METHODS

Notice is given by G. E. Smithies, Deputy Insurance Commissioner, with the approval of A. N. Kepoikai, Treasurer, and ex officio Commissioner, that the certificate of authority dated October 1, 1903, to the Fidelity Insurance Co., Ltd., of Honolulu to transact insurance business in the Territory of Hawaii is revoked. Advice was taken of the Attorney General's department beforehand.

Sixty days' notice had been given by the Deputy Commissioner before this action was taken, as the law provides. As previously reported, Mr. Smithies found on investigation that the Fidelity Insurance Co's deposit of security, which the law requires shall be of \$50,000 actual value, did not come up to the standard. The amount of \$11,543.17 was lacking according to his estimate of values.

To make up this deficiency the Fidelity Company purported to call in the balance of outstanding assessments on its stock, but as a matter of fact the assessable stockholders never paid up a cent of money. The greater part of the transaction was merely a piece of stock-trading jugglery between the Fidelity Insurance Co., and the Honolulu Investment Co. Even that business, as well as the payments by individual stockholders of the former, was based on demand notes. Those who know anything about the status of Honolulu Investment Co. stock might not find it hard to guess the rate at which a demand note of that corporation would be discounted by any bank in Honolulu. Mr. Smithies said yesterday:

"The Honolulu Investment Company transferred to the Fidelity Company an Iwilei leasehold valued at \$3,000 and gave the Fidelity Company a demand note for \$12,000. From each of the other stockholders the Fidelity Company received demand notes for the amounts due from them. I am satisfied under these circumstances that no cash was paid in at all and have therefore revoked the Fidelity Company's certificate allowing it to do business."

The payments made to the Fidelity Company, to bring it up to the law's standard, are stated as follows: Honolulu Investment Co., holding 4900 shares, \$19,600; A. V. Gear, \$30; W. M. Minton, \$30; Fan Con, \$30; W. R. Farrington, \$30; Emmett May, \$180. These sums amount to \$31,140.

Mr. Smithies said further, in comment on the Fidelity showing:

"I do not see how the company could meet policies. Its assets as shown by the statements are principally realty, of a kind that cannot be quickly converted into ready cash. Each piece, with the exception of the Iwilei lease-

hold, is subject to a mortgage. Under the law as it stands there was nothing for me to do but what I have done."

It might be added, that there has been a good deal of talk for several months past among those stockholders of the Honolulu Investment Co., who are kept in the frigid zone by the directors, of taking legal steps to obtain an accounting of the company's operations and true standing and, if such showed it to be advisable, to have the company wound up and a distribution made of its assets.

"They never put up a cent of money," the Attorney General said yesterday. "The Honolulu Investment Co., and the Fidelity Insurance Co., merely traded stock. They have the same officers and one merely voted money to the other, and the 'cash' paid up in the Fidelity Company was nothing but demand notes. The Fidelity Company bought the Investment Company's stock, which has never paid a dividend. Its directors are exactly the same parties as those of the Fidelity Insurance Co."

Mr. Andrews was questioned on the subject after leaving his office yesterday evening, so was not in a position to refer to documentary particulars on file in his department.

The Honolulu Investment Co. was floated in the height of the 1899 boom, and its minority stockholders regard it today as a star hump of that period. Most of the stock subscriptions called in the first year were plumped into the wildcat Maunaloa plantation scheme and there forever disappeared.

The Fidelity Insurance Co. would appear to have been started by the directorate of the Honolulu Investment Co., with a special eye to capturing a share of the heavy bonding business under the County Act. It has done a good deal of bonding in the courts.

A statement of the Fidelity Insurance Co. is advertised in this issue by Emmett May, its secretary. Its list of assets consists in the main of property that the minority stockholders of the Honolulu Investment Co. have regarded as the sole value appertaining to their shares in that corporation. As the Deputy Commissioner points out, these interchangeable assets are, with one comparatively small exception, encumbered with mortgages.

X., coming from the seaside, was accosted by one of his friends who had stayed at Paris all the summer:

"Say, X., you needn't brag about the cool sea breezes. I have just received this morning a thermometer from where you spent your holidays, and it is exactly the same temperature as the Parisian thermometers."

LIBRARY OF CONGRESS



# REV. MR. KEKELA LOCKED IN A PRISON CELL

**Aged Hawaiian Missionary to Whom  
President Lincoln Gave a  
Valuable Watch.**

There was a pitiable scene at the police station yesterday. A white haired, venerable Hawaiian was led in and marched up to the station desk. His brother-in-law preferred a charge of insanity, saying that if they did not give the old man money with which to ride around in hacks he would become very angry. A moment later the following appeared on the police blotter: "Rev. James Kekela, supposed insane, watch and chain."

There was a scene when the turnkey searched the old man and took away the watch. Kekela would not give it up until he was assured that it would be safely cared for as he said: "When I lose that I die."

And there was good reason for the Rev. James Kekela to prize that watch. It was given to him many years ago by Abraham Lincoln for saving an American citizen from being eaten by cannibals in the Marquesas Islands.

Who is Kekela? Here is the story of his life:

In the little Sunday school conducted by the father of Rev. Mr. Parker many years ago over beyond the Nuuanu fall, there was a very devout little Hawaiian boy. His name was James Kekela, and he grew up with a great desire to spread the tidings of the gospel among the people of his own islands and the benighted ones further south, thousands of miles away.

He studied hard and preached among his brothers, finally, with a Reverend tacked to his name, going out over the sea on the hazardous task of carrying the gospel to the cannibal natives of the Marquesan group.

Attempts had repeatedly been made by white missionaries to institute friendly relations, but without avail, and the task had been given up. At last an aged chief, drawing near to death, sent to Hawaii for some one to come and explain the strange theory he had heard about, and Kekela went. He was received with courtesy by a few of the islanders, but there were those who resented and were unfriendly.

For years Kekela struggled to found a little church among them, and when he had succeeded the hostile ones threw stones through his windows and repeatedly burned down his buildings. At one time they made an attack on his stone house, and killed nearly all of his little band of followers. These Kekela learned had been tortured to death and their bodies cooked and eaten by the enemies of his church, and the horror of it nearly drove him away, but he struggled on and finally came to be of some influence among them. Those who did not believe ceased to torment, at least, and tolerated his little church, but they were continually warring among themselves. Kekela and his flock were always in danger from the warring factions, but they remained and labored.

One day a strange ship came to the islands, and some of her crew landed. From afar the natives had seen the ship, and they waited, hidden among the rocks and brush. The men were caught in ambush, but they all escaped to their boats except one. The ship was the American whaler Congress, and the captive was William Whalen, first officer.

The ship went out to a safe distance and waited, for she could do nothing more. On the beach they saw the preparations for the horrible doom of their comrade. All night a fire was kept up, and weird ceremonies were performed. The captive, bound hand and foot, was cruelly tortured, the savages pulling his ears and nose, bending back his thumbs, brandishing their knives over him and committing all manner of atrocities. The poor man cried out his agony and prayed for death, but this was not to be until the sun had risen. He was compelled to see them carry the wood and prepare the fire upon which his body was to be roasted alive, and to see the savage children dancing with glee over the coming feast.

Just at dawn, when everything was ready, the missionary Kekela arrived. He had heard and had come to protest. His pleading did no good, and he offered a ransom, but the cannibals were inexorable. Kekela hastened away, and among his flock gathered up all the articles of value he could, among them his own boat and all that he possessed. With these he finally made a bargain for the life of the American, though the chief of the cannibal faction was angry, and treachery was feared. Kekela borrowed a boat, and unloading the dazed captive took him out to his ship. The officers begged him to go away with them, but to all their invitations he shook his head, and said his mission was among the people of the islands. They had to let him return. What he suffered in the year that followed only Kekela knows, but he stayed at his post, and nearly a year after he had saved the life of the American another ship cautiously approached the Marquesan Islands.

She brought a message from the President of the United States, thanking him for his services and tendering him an invitation to visit the Republic. With the message came a beautifully made boat and a gold watch and chain, with other tokens, aggregating the value of \$500. These, President Lincoln begged Kekela to accept as an acknowledgment of what he had done.

The boat is now worn out long since, but the old man still fondly wears the watch and chain. He remained many years among the Marquesans, and came away only when he was compelled to for the sake of his health.

Many years have passed and now Kekela, over four score years old, has spent a night in a police cell. He did not sleep much last night but protested that it was a shame that his relatives should lock an old man like him in jail. During the night he had pains in one of his legs and a native boy occupying the same cell greatly delighted him by lomi lomi work on the painful member.

Kekela's sanity will be inquired into today.

## FARMERS INSTITUTE Second Annual Meeting Set for January 30th.

The second annual meeting of the Farmers' Institute will be held at the Kamehameha Schools on Saturday, January 30. The afternoon session will be held at 3 and the evening session at 7:30.

All members are urged to be present at the afternoon session as business bearing directly on the future of the organization will be broached.

Representatives from the two agricultural communities, one in the district of Hilo, Hawaii, and the other at Waialua, Oahu, each having a thriving society, will be present. It is also the idea of the Institute to organize a society on Maui sometime during the ensuing year.

The election of officers will be held and reports of various committees rendered at the afternoon session.

A program has been arranged for the evening session as follows: Address by the president, Jared G. Smith, on "The Work of the Past Year and the Agricultural Outlook for the Coming Period."

Address by representative of the Hilo Agricultural Society.

Report from the committee on the planting seasons.

Report of the committee on improving and beautifying the country roads of Oahu.

Paper by Prof. F. G. Kraus of Kamehameha on "An Agricultural Training Necessary for the Farmer of Today."

Music will be furnished by the Kamehameha Glee Club.

Out of town members are requested to notify the secretary, D. L. Van Dine, of their intention of attending the sessions.

### Local Inspectors for Hilo.

The visiting local board of inspectors of steam boilers and hulls left for Hilo yesterday. They expect to return here on Sunday, and during their absence will also have inspected vessels at Kahului. They have an office in rooms 309 and 310 Stangenwald building. Sailing vessels with American registers and the local vessels in port are being spruced up a little preparatory to the inspection. The tug Rover, belonging to the Pacific Oil Transportation Company, has been brought in from the stream and moored at Hackfeld wharf. She has been repaired, thoroughly overhauled, and pointed within and without so that she now presents a very neat appearance.

### Good Wharfage Facilities.

A gang of men are now engaged tearing up the old inter-island wharves at the foot of Fort Street. The rebuilding of wharves and wharf sheds in Honolulu during the past year has completely changed the appearance of the harbor. It is said that the Oceanic wharf is now the most modern one here. In its wharf shed between three and four thousand tons of cargo can be stored. With the addition of a couple more gates the wharf will be entirely enclosed.

# SUPREME COURT DENIES DAVIS A REHEARING

**Disbarment Decision Stands and the Respondent  
Must Retire From Practice—Judge Galbraith  
Files the Usual Dissenting Opinion.**

By a majority decision of the Supreme Court written by Justice Perry, the concurring member being Chief Justice Frear, the petition of George A. Davis for a rehearing of the case of his disbarment is denied.

Justice Galbraith files a dissenting opinion.

From the syllabus of the decision of the court here given, the grounds of the petition as well as of its denial are made clear. It is as follows:

### THE SYLLABUS

The rendering of a previous judgment held not to disqualify a judge, because such judgment was rendered in another case and upon a question not involved in the case in which the objection of disqualifications is presented.

That a judge on three different occasions some years ago punished an attorney for contempt of court does not of itself show bias or prejudice on the part of such judge against the attorney.

Upon the facts stated in the opinion a judge of the court held not to be disqualified by reason of interest as alleged.

A rehearing will not be granted on the ground that the Chief Justice of this Court, not called at the trial, is a material witness, no intimation having been given at or before the trial that the proposed witness could give any testimony as to what testimony, if any, he could give, if called, and no desire having been expressed that he testify and no intimation being even now given as to what he could testify to; or, in a disbarment case, on the ground that the party supposed to be aggrieved by the misconduct of the attorney was not called by the Attorney General as a witness; or on the ground that a necessary and material witness was absent from the jurisdiction at the time of the trial, where no showing is made as to what his testimony would be, if called, and where, in submitting the case to the court for decision, the party now asking for the rehearing expressly said that he would not call the witness but would close without his testimony.

In a disbarment case no complaint by the party supposed to be aggrieved is necessary. Any information may in such case be filed by the Attorney General.

Ratification, if any, by a client or other party most interested, of misconduct of an attorney, does not bind the Court or affect its duty in a proceeding for disbarment.

In a disbarment case, it is not a defense that at the time of the alleged misconduct the attorney was a District Magistrate.

This Court may in a proper case disbar an attorney whose license was originally granted by the Supreme Court of the Republic of Hawaii, and who since the Organic Act took effect has not received a new license from this Court or taken the oath prescribed by Sec. 49 of the Organic Act.

### DISQUALIFICATION CONSIDERED.

Following are extracts from the opinion dealing with the disqualification of two members of the Court as alleged by Davis:

That the writer had prior to these proceedings as Circuit Judge passed upon the question of J. K. Sumner's sanity did not disqualify him as matter of law for that previous judgment was not rendered in this case; nor is this an appeal or new trial in that case. The provision of the Organic Act, Section 84, that "no judge shall sit on an appeal, or new trial, in any case, in which he may have given a previous judgment." The question of whether or not Sumner was insane within the meaning of our statute on guardianship, was not even in issue in this case, nor was it passed upon. On the subject of bias and prejudice, the only fact stated in support of the contention is that on three different occasions some years ago the writer as Circuit Judge punished the respondent for contempt. It is not even alleged that the punishment was undeserved.

The writer has no hesitation in saying that in fact no bias or prejudice exists or existed at the time of the trial and the Court finds that no cause has been shown for believing that any exists or existed.

The provision (Sec. 84) of the Organic Act with reference to which the suggestion that the Chief Justice is disqualified is made, is that "no person shall sit as a judge . . . in any case in which his relative by affinity or by consanguinity within the third degree is interested, either as plaintiff or defendant, or in the issue of which the said judge . . . may have, either directly or through such relative, any pecuniary interest." The facts relied upon are that the Chief Justice is a stockholder in the Oahu Railway & Land Co. and a trustee for its bondholders and that he is related within the degree named to Mr. B. F. Dillingham, an officer of and a stockholder in that corporation. It appeared in evidence during the hearing, in connection with one of the charges against the respondent, that the latter obtained \$5000 from the railroad company in the course of the settlement of the litigation then pending. Neither the Chief Justice nor Mr. Dillingham nor the Oahu Railway & Land Co. has any

interest within the meaning of that section, in this case or in its issue—a proceeding the sole question in which was whether or not the respondent was guilty of professional misconduct.

As to actual bias or prejudice on the part of the Chief Justice as distinguished from legal or technical disqualifications, that, if there were any, would naturally be under the circumstances in favor of the respondent but not only is there nothing to indicate any such bias or prejudice but the respondent himself does not contend there was or is any. On the contrary the respondent in his brief says, "With the . . . Chief Justice . . . I have no complaint nor fault as to his fairness and impartiality."

On this question the court says:

### MODE OF PROCEEDURE.

The filing of an information by the Attorney General was not, in our opinion, irregular. No complaint by Mrs. Davis or Mr. Sumner or any other party supposed to be aggrieved was necessary. That the Attorney General had previously reported that he knew of no sufficient cause for presenting charges against the respondent, is immaterial. In instituting the proceedings he acted upon information obtained wholly as to one charge and in large part at least as to the other charges subsequent to the filing of the report. Moreover, he presented the information and conducted the investigation, not of his own motion, but, as we have already said, at the request of this Court.

### OTHER ATTORNEYS.

Regarding the contention of Davis that the agreement between Maria S. Davis of the first part, R. W. Davis of the second part, George A. Davis of the third part and Magoon & Peters, attorneys of the fourth part, was temporarily lost, during the hearing of the disbarment proceedings, and that it would be valuable as new evidence in showing that the fee of \$5000 was according to contract, and not excessive, and implicating of Magoon & Peters in any wrong if there was such in it, the court comments:

Taking the last subdivision of the argument first, a sufficient answer thereto is that in this case the question is not whether Mr. Magoon or Mr. Peters or both are guilty but whether this respondent is guilty, and assuming that Mr. Magoon and Mr. Peters were also guilty that would be no defense on behalf of this respondent.

It may be added that neither during the efforts at settlement of the Sumner litigation nor at the trial of this case did the respondent rely upon or even refer to this agreement. No mention was made at the trial of its existence and no claim that it was material in the investigation then being conducted.

### THE DISSENTING OPINION.

Some extracts from the dissenting opinion by Justice Galbraith are here given:

The reasons given against the judgment of disbarment in this case, particularly that "the findings of fact are not supported by credible testimony," in my opinion, should be sufficient reason for ordering a rehearing. In addition to these the respondent presents two grounds in his application that are entitled to thoughtful consideration, namely, (1) That two members of the court were disqualified to sit in the case, (2) The contract of employment in the first instance offered as additional evidence and as throwing new light on the case.

In concurring in the judgment of the House of Lords reversing a decree of the Lord Chancellor on the ground that he was a shareholder in a company interested in the decree, Lord Campbell said, "It is of the last importance that the maxim that no man is to be a judge in his own case should be held sacred. And that is not to be confined to a cause in which he is a party, but applies to a cause in which he has an interest."

It has been long recognized as good ground for recusal against a judge that he had a pecuniary interest in the issue to be tried either through himself or a near relative. This principle was recognized by Congress in framing the Organic Act for this Territory and is embodied in Section 84, as follows: "That no person shall sit as a judge or juror in any case in which his relative by affinity or by consanguinity within the third degree is interested, either as a plaintiff or defendant, or in the issue of which the said judge or juror may have directly or through such relative, any pecuniary interest."

It will be observed that Section 84 places "a judge" and "juror" on the same plane in so far as the disqualification of that section is concerned and prescribed that each shall be disqualified when interested in the issue to be tried. It will not be claimed that this section is exclusive, or that there are no other disqualifications than that of interest when applied to jurors. Then can it be claimed with any more reason that there are not other grounds of recusal of a judge than pecuniary interest in the suit?

This proceeding was not an appeal but was an original cause in this court. By it the original and not the appellate

# Na Kupuna

THE  
**Hawaiian Legend**  
of the  
**CREATION**

(BY JULIAN D. HAYNE.)

With Artistic Illuminations by Viggo Jacobson.

THE GAZETTE CO. has recently secured a few copies of this much talked of publication, which is now out of print.

Julian Darwin Hayne is a man who will long be remembered in Hawaii for his many brilliant accomplishments and his wonderfully checkered career.

The legend is well written and the artistic element reflects great credit up on Mr. Jacobson.

Though but few people here have seen this book, nearly all have heard of it and will be glad of the opportunity to secure a copy.

PRICE 25 CENTS.

### News of the Courts.

Defendants indicted on Monday were arraigned in court yesterday with the following results:

Go Yoo, assault and battery, two indictments. Pleading guilty to one of them he was fined \$25 and costs, and under the other indictment he was granted a nolle prosequi.

Jack Morgan, seduction, was allowed to reserve his plea until this morning.

Puglia, larceny second degree, pleaded not guilty and will be tried in his turn.

The accused person under the fifth indictment presented had not been arrested and a second bench warrant was issued in that case.

ORDER OF TRIALS.

Judge Robinson will try the following cases in their order, beginning this morning: Territory vs. Birbe, profanity; Territory vs. John Christa, seduction; Territory vs. Ascinto Perry, child stealing; Territory vs. Kimura, assault with intent to murder.

There are between thirty and forty witnesses subpoenaed in the Birbe case, which is an aftermath of the county election.

MANY CASES OVER.

John H. Estate vs. Territory of Hawaii, action to establish fishing rights, was continued for the term by Judge De Bolt, at the request of the Attorney General.

Samuel Kaahu vs. Kauhane Naopeope, ejectment, was continued for the term; there being no appearance of either party. The same disposition was made of the following cases: George Lycourus, trustee, vs. E. M. Nakulua, assumpsit; L. C. Camacho vs. Arthur M. Brown, damages; Kahalewai vs. Long Yau, damages; Solomon Kahawail vs. D. Kukea and Ku, ejectment; Geo. Lycourus vs. Chas. Phillips, administrator, and G. D. Freeth, assumpsit; Shimoda Sentaro vs. Yee Wo, assumpsit; Una McChesney vs. Chas. S. Desky, assumpsit; Wong Kong Yim vs. Union Assurance Society, assumpsit.

## KEKELA IN THE INSANE ASYLUM

Rev. James Kekela, the aged Hawaiian, who was rewarded by President Lincoln for saving the life of an American whaler, was yesterday committed to the Oahu Insane Asylum by Judge Lindsay on a certificate from Dr. J. T. McDonald showing that the old missionary is insane. But former friends and admirers of Kekela will see to it that his life at the asylum is made pleasant. It was stated yesterday that S. M. Damon would build a cottage on the asylum grounds for the old gentleman to occupy.

J. W. Smithies, Kekela's son-in-law, in his application to have him committed to the asylum, stated that the old man had a habit of getting up in the night and threatening to kill his relatives. He talked to himself and was sleepless. About three years ago for the same complaint he had been confined in the Oahu Prison Hospital for a week.

Dr. McDonald's certificate stated that the old man made homicidal threats, was at times violent, at other times refused to talk, and did not sleep either during the day or night. He imagined that he could see and talk with the spirit of his wife. Dr. McDonald gave the cause of insanity as "exhaustion of mental powers."

The aged clergyman was taken to the asylum last night.

AN EDITOR'S OPINION.—John S. Davies, Esq., editor and proprietor of Guardian and Star, Honolulu, New Zealand, said: "I have found Chamberlain's Cough Remedy a very valuable medicine, having received great benefit from its use when suffering from a cold, and as a preventive for croup in children its excellent properties have been testified in my family. For sale by all dealers and druggists. Bowen, Smith & Co., Ltd., Agents for Hawaii."

### He Escaped Being Drowned.

The lack of lights on the wharves at the Ewa end of the harbor nearly resulted in another drowning late last night. A sailor from the steamer Rosecrans, while returning to his vessel, walked off the Hackfeld wharf into the water. In the darkness he had misjudged his position. Night Inspectors Wilson and Rold of the Custom House Service heard the man about and rushed to his assistance from the Railway wharf. They found him clinging to a slippery pile and by the use of a rope were able to get him ashore.

### Howland Commissioned.

Superintendent Holloway yesterday signed the commission of J. Hastings Howland as Assistant Superintendent of Public Works. Mr. Howland is a graduate of the Boston School of Technology and a hydraulic engineer of very good repute. Of late he has been working on Oahu and Puna plantations. He left in the Kinau for Hilo yesterday, having some work to complete over there. His services in the Public Works Department will begin on February 1.



# TRYING TO GET RID OF ONE OF THE GEAR HUI

## Strong Grounds in Support of the Motion to Save the Campbell Estate.

(ASSOCIATED PRESS CARLSBERG.)

SAN JOSE, Jan. 21.—In the Campbell Estate suit Attorney Bird has filed affidavits supporting the motion to annul the appointment of one Gear as guardian of the minor heirs on the ground that he is not an acquaintance of the family and that all proceedings have been hostile to the interests of the minors, who have no estate in California.

## WAINIHA VALLEY WATER FOR ELECTRICAL PURPOSES

W. A. Kinney, attorney for W. E. Rowell in the matter of his recent application to the Board of Supervisors of the Island of Kauai for a right of way over certain public highways on that island to transmit electricity, makes the following statement in regard to the proposed enterprise:

"The Island of Kauai has more water power than it can utilize for years to come. The greatest user of power on that island at present is the McBryde plantation which can, when fully developed, utilize twenty-five hundred horse-power. W. E. Rowell recently secured a fifty-year lease of the water power of Wainiha valley, owned by a hui of Hawaiians, who granted the lease on favorable terms, his intention being to generate electricity and transmit it to other parts of the island.

"The McBryde Sugar Company, on certain conditions, is willing to lease most of this electric power, and Mr. Rowell, with the aid and support of that company, is now seeking to secure a right of way for poles and wires to transmit electricity from Wainiha, which is on the windward side of the island, to the McBryde plantation, which is on the leeward side.

"The best route, according to the report of the engineers, is across the mountain from Wainiha through the Waimea district over government lands under lease to private parties. The plan was to go on certain trails claimed to be ancient public trails. Those in possession of the adjoining lands, however, claimed that the public have abandoned the use of these trails and that they are now nothing but private

trails maintained for their own convenience.

"The Board of Supervisors for Kauai, on the application of Mr. Rowell, decided the other day to assume the position that these trails had not been abandoned and were still public trails, and granted a license to Mr. Rowell to use the same for poles and wires. There was doubt as to their power to do so, but the Supervisors having specially pledged themselves to the voters of the Hanalei district, before election, to aid and promote this enterprise, and being in doubt as to the outcome of the County Act, decided to act promptly and put themselves on record unambiguously as favoring the prompt development of the Wainiha proposition, and ready to do anything in their power to help it along, and therefore, granted the license in question.

"The death of the County Act has nullified the license given except as a declaration of the desires and wishes of the electors on that island. Other steps are now being taken to overcome the difficulty about a right of way. Almost every native voter on Kauai heartily supports the proposition, and most of the voters among other races as well. It means a handsome income for over one hundred natives from a right that heretofore gave no income at all. It will add \$2500 a year directly to the income of the government, in the way of taxes and twice that amount indirectly, and open the way for the development of power from other streams on that island, and enterprises that invariably start up where power is cheap, so that it seems only a question of time when the right of way will come."

## CANNY SCOTS TO LAUD BURNS

The Burns concert of the Scottish Thistle Club in the Elks' Hall on Monday evening promises to be an entertainment of a high order, and apart from the especial nature of the celebration, there will be many features enjoyable to others than admirers of the bard. Songs, speeches, recitations and violin and pianoforte solos combine to make an excellent and well-balanced program.

Burns' songs will of course be given a prominent place. L. S. Dillingham singing "Scots Wha Hae," and J. L. Cockburn "There Was a Lad Was Born in Kyle." Stanley Livingston will also be heard in a Scotch song. The patriotic chord will be struck by J. F. Fenwick in "Old England, Home and King" and D. A. Mackintosh will appeal to the hearts of the Scottish "exiles" in "The Song of the Scottish Emigrant." A recitation by Dr. Humphris and a violin solo by W. A. Love are numbers which are sure to be greatly appreciated.

The list of speakers includes U. S. District Attorney R. W. Breckons, British Consul W. R. Hoare, W. L. Stanley and Wallace R. Farrington.

The Hepburn Pure Food bill, which has passed the House, has a special bearing upon trade in Territories. It can deal with that but not with the trade of individual States.

Dr. Humphris informs the Advertiser that the name of the English Viscount who was mentioned in the cablegrams as Helmsley is probably Helmsley.

Stella—Cholly hasn't any originality. Bella—Not the slightest. Why, I submitted his love letters to three publishers and they all refused them.

# NO EXTRA SESSION

## Auditor Fisher Shows the Senate That the Government Can Get Along Comfortably on Basis of Appropriation Bill.

There will be no extra session of the Legislature to pass new appropriation bills. This was practically settled at the adjourned meeting of Senators yesterday morning. Governor Carter was not present, being confined to a dentist's chair until within half an hour of his departure for the island of Hawaii, but the conclusion reached by the caucus was reported to him and, it is understood, he coincided therewith.

Auditor J. H. Fisher submitted a financial statement to the Senators, which convinced them that the government could be carried on in a fairly satisfactory manner, without recourse to the Legislature in extra session. The Governor took this statement away with him, but its general tenor may be given in a few words.

Current receipts for the past twelve months have amounted to about \$2,400,000. It is figured that the revenue will run about the same this year and 1905. The average for the current eighteen months should thus be about \$3,000,000.

Against this probable revenue of thirty-six hundred thousand dollars, there are appropriations amounting to forty-six hundred thousand dollars (\$4,600,000), or an excess of one million. It will not be necessary, however, to expend all of the appropriations. Some of them, in different departments, will not be used and what is thus saved will go toward effecting a parity between revenue and expenditure. The Governor has already arranged for con-

siderable economy in various branches of the Territorial services.

If the beginning of next year be like the present time, the receipts for the first six months of 1905 will be \$1,450,000 or a little more, while for the second half of the year it would be about \$1,700,000. Expenditures should be gauged, therefore, so as to make the more prolific half of this year divide means with the semi-barren half of the ensuing year.

"The government can be continued without much trouble," Mr. Fisher said to an Advertiser reporter after stating the substance of his financial estimates.

"The Legislature meets anyway," the Auditor continued, "five months before the end of the biennial period, in regular session, so that there will be time to pass some new measures if particular appropriations have run out."

The arrangement practically decided on by the caucus of Senators, which will probably have much weight in setting the course of the executive, allows the Governor to go ahead under the eighteen months' appropriation bill so far as it is complete, reverting to the six months' bill as a basis of expenditure for necessary items not contained in the other measure.

It is understood that the Governor consents to having the departments go ahead under this arrangement, without waiting for the determination of a test case in the Supreme Court, which, however, is to be brought as soon as the Attorney General may find convenient.

## A. V. GEAR WOULD LIKE TO BE MADE ASSESSOR

### Hopes to Get the Appointment from Kepoikai. Sam Johnson for Road Supervisor in Place of Charlie Wilson—Vida Second.

A. V. Gear, who has been an intermittent candidate for office, is said to be out for the Assessorship. This appointment is within the gift of Kepoikai and Gear's friends are all working on the gentleman from Maui when the chance presents itself. So far no call has been made for the endorsement of the Republican organization and none will be needed if Kepoikai concludes to act independently. It is whispered that if Gear gets the Assessorship the big "missionary" corporations will not enjoy life to any hilarious extent.

The two Charleys—Wilson and Clark, Road Supervisor and Assistant Supervisor, respectively—were turned down squarely yesterday afternoon by the executive committee of the Territorial Central Committee. Sam Johnson, the present head of the Garbage Department, was recommended for appointment as Road Supervisor with Henry Vida as his assistant.

There were rumors about town yesterday that the change would take place as above, but it was not until about 5:30 that the result was announced. It was said that Sam Johnson had made direct application for the position of Road Supervisor. Mr. Johnson stoutly denied this and even before the meeting of the committee was held, he was not aware that he was to be given the backing of the committee for the position.

"I don't know where the idea came from that I was chasing after the job," said he at that time. "I heard early

this morning that my name was mentioned, but I had been, and am now favoring another candidate. I am satisfied with my present position. The Road Supervisor's position calls for more work at the same pay, and there is more responsibility."

At the meeting of the executive committee, Charley Wilson and Charley Clark both appeared accompanied by A. G. M. Robertson and T. M. Stewart, who represented their side of the case. The two Charleys tried to show that throughout the campaign they had been loyal to the party and had worked for it. After the departure of Wilson and Clark and their attorneys, the matter was thoroughly gone over with the result that the committee turned them down.

Then the matter of their successors was discussed. The names of Sam Johnson and Col. Ziegler were presented, resulting in a choice of Johnson on a vote of four to three.

Henry C. Vida was the choice for Assistant Road Supervisor.

The selection of a man to fill the place now occupied by Johnson was not taken up. Clarence Crabbe, chairman of the committee, stated after the meeting that the position of Road Supervisor went to Johnson unsolicited. He said that many people had been of the opinion that Johnson had been "chasing" after the job, which was untrue.

Wm. Coney was named in the race for the Road Supervisorship but he met the usual Waterloo.

## PUBLIC HEALTH GENERALLY GOOD

Health returns from the different districts of the Territory, by Government physicians, for the month of December have been tabulated by Registrar Lawrence. Amidst a general chorus of testimony that both sanitary conditions and the public health are good, there are a few echoes of the almost universal groans that dengue fever caused a year or so ago. They are so few, though, as to show that the Territory has become fairly rid of the annoying but comparatively innocuous distemper.

Dr. R. G. Curtis of Oahu reports 18 cases of the dengue, also 11 cases of a malignant type of enteric fever, in that district. Dr. W. F. McConkey of Makawao, Maui, reports 9 cases of the dengue, and Dr. R. J. McGettigan of Hana, Maui, 6 cases. Hana is the only district where tuberculosis is said to be increasing, a negative answer being given to the question in that regard for all the others.

Dr. R. J. Dinegar of Kihel and Kula, Maui, reports a single case of scarlet fever. A Portuguese child had it, but with prompt quarantine nobody else.

Among the suggestions is one by Dr. McConkey that school children, through the teachers, might be enlisted to report unsanitary places.

"Didn't I order two portions of chicken, waiter?" "Yes, sir." "Then why is there only one cockroach?"

## DECREE AT FAULT AND SET ASIDE

The Supreme Court has rendered a unanimous opinion, written by Chief Justice Frear, in the suit for specific performance of Tai Lan vs. Pilipo Contrades. It sets aside a decree by Judge Hardy of Kauai, to whom the case is remanded with directions to dismiss the petition and for any other or further proceedings consistent with this opinion. S. K. Kaoo and A. G. Correa for plaintiff; M. F. Prosser for defendant. The syllabus is as follows:

"Non-owners having executed two leases to different persons and the owner being estopped by his conduct from denying the validity of either lease, and the first lessee's assignee being in possession, equity cannot decree delivery of possession or damages against the owner at the suit of the second lessee."

The Circuit Judge's decree was against the defendant, but allowed damages only and not possession. It is found by the Supreme Court that the true nature of the case is that of ejectment, so that it is outside of the jurisdiction of equity.

### Wharves Not for Twin Screws.

Honolulu wharves are not built for twin screw vessels. They do not have sufficient overhang to keep vessels having twin propellers from damaging the piles. Recently one of the big Oriental liners in swinging from the wharf backed her stern against it. In a twinkling one of the propellers had cut off four piles. The propeller was unimpaired but it is stated that it cost the steamship company about a thousand dollars to repair the wharf.

# HOSPITALS HAVE NOTICE OF LOSS OF SUBSIDIES

## Board of Health Reappoints Full List of Govern- ment Physicians—The Attorney General's Opinion on Question of Cemeteries.

It is up to the boards of trustees of the various hospitals in this Territory, such as lay claim to be purely public institutions, to consider what can be done toward meeting the deprivation of government subsidies. Yesterday the Board of Health received a communication from the Auditor, returning various hospital vouchers with the intimation that under the recent opinion of the Attorney General's department warrants thereupon could not be issued. All that the Board of Health could do about the matter was to instruct its secretary to forward the documents to the various boards of trustees of hospitals.

There were present at the meeting Dr. C. B. Cooper, president; Fred. C. Smith, Dr. W. H. Mays, Mark P. Robinson, John C. Lane and E. C. Winston, with C. Charlock, secretary, and Miss Mae Weir, stenographer, in attendance.

### APPOINTMENTS OF PHYSICIANS.

Dr. R. J. Wilkinson by letter applied for the position of Government physician at Lihue, Kauai, and was appointed thereto. Dr. R. J. McLean was appointed physician for the adjacent district of Koloa.

Dr. L. L. Moore, on the favorable report of the board of medical examiners, was recommended for a license to practice.

Dr. J. C. Douglass sent in his resignation as physician for the districts of North and South Kona.

On acceptance of the resignation of Dr. R. P. Myers as member of the leper examining board, on account of departure, Dr. Sinclair was appointed in his place. The committee on dispensary was instructed to see Dr. Sinclair and ascertain if he would not act as both outdoor and indoor physician for Honolulu at an increase of salary.

In consequence of the overthrow of the County Act, the Board reconsidered its action in dismissing Government physicians. It reappointed the entire list as follows:

Kauai—Dr. B. F. Sandow, Waimea; Dr. C. R. McLean, Koloa; Dr. R. J. Wilkinson, Koloa; Dr. F. L. Putnam, Keala and Hanalei.

Oahu—Dr. A. N. Sinclair, Honolulu; Dr. C. A. Davis, Ewa; Dr. Thos. McMillan, Waianae; Dr. H. Wood, Waikeala; Dr. C. A. Peterson, Koolauloko and Koolauloa.

Maui, etc.—Dr. A. Mouritz, leeward Molokai; Dr. J. Molony, Lahaina; Dr. J. Weddick, Wailuku; Dr. R. H. Dinegar, Kihel and Kula; Dr. W. F. McConkey, Makawao; Dr. R. J. McGettigan, Hana.

Hawaii—Dr. B. D. Bond, North Kohala; Dr. J. Atcherley, South Kohala; Dr. C. B. Greenfield, Hamakua; Dr. Frederick Irwin, North Hilo; Dr. C. L. Stow, Hilo; Dr. R. G. Curtis, Oahu; Dr. J. Holland, Puna; Dr. D. S. McCarthy, Kailua, North and South Kona, vacant.

### FEDERAL COOPERATION.

Upon the matter of soliciting the cooperation of the Federal Government in obtaining expert investigation of leprosy, Dr. L. E. Cofer, chief of the U. S. Marine Hospital Service here, was added to the committee of medical members of the Board.

Dr. Cooper incidentally remarked his intention to visit the St. Louis Exposition and, if he could so arrange, proceed to Washington, where he should endeavor to lay the matter before Surgeon General Wyman.

### PETITIONS, ETC.

The letter of Mrs. Kaalali Nu, submitted at a former meeting, was retired upon the secretary's file. It denounced her own children to the authorities as subjects for removal to the settlement. Superintendent McVeigh had reported on her petition to be allowed an attendant in a way that rather discredited any information from her. Her petition was denied, as she is well cared for at the Bishop Home.

Mr. McVeigh was granted further time to report on the petition of Mrs. E. M. Hanuna. The petition of Sam Ben for a helper was denied.

On the strength of a letter from Mr. M. Hering, Hilo fish inspector, J. L. Lilikane was appointed assistant fish inspector there in place of his son, Sam. Lilikane, who had died.

A petition of Wing Hop Co. for leave to open a fish market in Beretania street was granted as the Board con-

sidered it had only to do with the sanitary conditions of such places when established.

### VARIOUS MATTERS.

The Board on consideration of the subject voted to fix the salaries of sanitary inspectors at \$85 a month.

A letter from the Governor was read, announcing the abandonment of the Palolo site for the new insane asylum as previously reported in the Advertiser. Dr. Cooper mentioned that the stone crusher was to be removed from the old premises, certain immediately necessary repairs to the buildings made and, as soon as possible, new main structures erected upon the old site at Palama.

A letter was received from W. O. Smith, trustee, regarding a privately owned house at Kalaupapa, and the matter was voted to be left in Mr. Smith's hands.

A report was received from Attorney General Andrews on Hilo lands formerly complained of, which was to the effect that the superintendent of Public Works would abate the nuisance by having the lands drained.

### HOSPITAL SUBSIDIES.

Following is a list of the vouchers for subsidies to hospitals, etc., already referred to, upon which Auditor J. H. Fisher by letter intimated he could not issue warrants:

Eleele Hospital, Dec. 31, \$75; Lihue Hospital, Dec. 31, \$150; Queen's Hospital, Dec. 31, \$1686.87, and Nov. 30, \$1866.67; Leahi Home, Oct. 31, \$500; and Nov. 30, \$500; and Dec. 31, \$500; Kapoalahi Maternity Home, Nov. 30, \$500, and Dec. 31, \$500; Waimea Hospital, \$145.90.

### THE CEMETERIES QUESTION.

A report was received from Attorney General Andrews on the question of the Board's power to deal with overcrowded burial places. He quotes the law giving the Board of Health authority to make regulations "for the interment of the dead, and respecting cemeteries and burying grounds," and concludes with this advice:

"Under these sections I believe that the passage of a resolution covering this question could be enforced in a court of law, and it is the duty of the Board to immediately take such action as will prevent the further conduct of cemeteries in a manner deleterious to the public health."

### AN OPTUM SUPPLY.

Regarding a letter from Clerk D. Porter, of the Fourth Circuit Court, Hilo, in which the writer said he was shipping, in care of Purser Beckley of the steamer Kinan, twenty tins of optum seized in course of justice, the Attorney General made a report, saying:

"Ordinarily such optum would be used as evidence in the case, but I presume it is no longer needed from the fact that it is forwarded to the Board of Health. If the same is intended for a present, I see no objection to the Board of Health taking the same and using it, if necessary, in the Government dispensaries, otherwise I know of no way in which such property could legally come into the hands of the Board of Health."

The Board decided to take steps for securing possession of the optum for use as suggested by the Attorney General.

### PESTILENCE IN ORIENT.

Dr. Cofer's reports on health conditions in the Orient were the best for a long time past. Hongkong was clean, the last plague cases being two reported inside of two weeks to Dec. 18. Kobe, Nagasaki and Yokohama were clean in reports by two succeeding mails. Shanghai alone had pestilence, consisting of one new case and seven deaths of smallpox in the two weeks to Dec. 27.

## ROYALTY ALWAYS HAS PEWS RESERVED

Editor Advertiser: An evening paper of yesterday contained an item which stated that the Board of Directors of the Protestant Episcopal church had set apart a "free pew" in St. Andrew's Cathedral for the ex-Queen.

This is an error for the reason that all pews are free in the Cathedral, there being no rented pews.

From the time the Cathedral was built, in fact in the old pro-Cathedral also, there have been always seats set apart for the King or Queen and household.

HENRY B. RESTARICK.

ST. PETERSBURG, Jan. 20.—Diplomats are agreed that the situation is improving. It is admitted that American diplomacy has been victorious in Manchuria.

LONDON, Jan. 20.—European capitals incline to the belief that there will be a peaceful issue in the Orient.

TOKIO, Jan. 19.—The Russian reply to Japan's latest note will, it is expected, make concessions, but it is possible that they will be insufficient to prevent hostilities.

PORT ARTHUR, Jan. 19.—A column of Russian troops numbering 4,000 men will leave for the northward tomorrow. Their destination is unknown.

SEOUL, Jan. 19.—The anti-foreign feeling is increasing. It is expected that demonstrations of violence will soon be made. It is likely that various legation guards will be increased.







## On Shore and Facing Eastward

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## THE SCHOOL QUESTION

Honolulu, Jan. 14, 1904.

Editor Advertiser: I have read with great interest the numerous complaints in your columns, which were entered against the excess of home-work given by teachers. Let me say that the last four years of any high school cover a great deal of work which cannot wholly be done in school, and I think that any reasonable person ought to understand that a good deal of outside work must be done by the students. No boy or girl can expect to graduate from any high school and qualify for an entrance to college without doing a vast amount of work out of school hours.

Many students take up more studies than they can possibly do justice to, and which require an average of one hour or more for study. Now four studies are sufficient to graduate any pupil from a high school. Still many ambitious students are not satisfied with this number of studies, and insist on taking six or more studies. This is without doubt going to excess, as each one of the studies requires, as I have already stated, one or more hours daily for study. The pupil naturally falls behind in some of the studies, and when a bad report comes home, the complaints of not having enough time for home-work.

Now, I think that five studies are quite sufficient for any boy or girl to take at one time. Allow me to suggest the following studies as an example:

First—English.  
Second—French, German, Latin or Greek.  
Third—Mathematics.  
Fourth—History.  
Fifth—Chemistry, Physics or Physical Geography.

These studies are quite sufficient to allow a student to enter any college in the East.

Concerning the grammar grades, I would say that it is my opinion that in a few cases, the teachers are a little too ambitious to put the children ahead, and often tax them too severely with home-work. However, when I was in the grammar grades, I seldom if ever had occasion to complain to my parents about any excess in home-work.

I think that in many cases the complaints are wholly due to the fact that children are taking work which is too advanced for them, in both age and development of mind.

Before bringing this letter to a close I will submit the following data:

The following papers were distributed to the pupils of both the upper and lower grades of the Honolulu High School, with instructions to carry them to their parents or guardians:

Have your children too much home-work?  
Yes.  
No.

There were two hundred and sixty-one votes returned from the grammar grades, two hundred and forty-seven being noes, and fourteen being ayes.

Out of ninety-two votes from the upper grades, eighty were noes, and twelve ayes. This result simply shows that an average of ninety per cent were satisfied with the amount of home-work given.

Thanking you for your valuable paper, I remain,

A HIGH SCHOOL PUPIL.

NOT A FAIR PLEBISCITE.

Editor Advertiser: I am not a parent, but I have been interested in the discussion of the school question, having been very slow at school work myself, and I have an opportunity to hear something of the three sides of the case as I know some of the teachers personally and I live in a family in which there are children who are pupils at Punahou. Yesterday afternoon I heard a young school girl telling about the answers received to that plebiscite and the teacher's comments on it. His "queer smile" at one mother who wanted no home-work and her child taking four hours over two lessons—the laugh that followed. Then the children's comments among themselves afterwards.

One girl, a bright scholar, said "My

mother wanted to say that I had too much school work at home, but I told her if she said that, that I should be ashamed to go back to school, because they would make such fun of me." Her mother was persuaded to yield to the girl. Others said "We couldn't make our mother say so. She said she didn't believe in school work at home at all. We told her we should be laughed at, and we were."

How much can we believe in the boasted candor of the answers, when we know of one case where the parent has been persuaded into expressing an opinion contrary to her own, in order that her child should not be ridiculed? Who shall blame her in view of the children who were ridiculed and suffered for their mother's moral courage?

I would like to suggest to the teachers interested in this discussion, that they never will get the true answers to their questions, as long as they bring the subject before the children themselves, in the way that has been adopted this time.

To imply that a parent is actuated entirely by the conditions in the case of her own child, is a very narrow view. Those who really have the question most at heart, think not only of their own children, but of innumerable others who have been victims of the system.

The whole school question is one that has agitated the minds of all thoughtful people, for years, and all information and suggestions for remedying the evils we all recognize would be as interesting to the public as to the teacher. We should be pleased to have some authoritative statement from Punahou embodying those interesting answers to the practical questions.

AN OLD VICTIM.

## POSSIBLE RESULTS OF DRINK.

As the drinking season is now on, it is well to reflect that the following diseases may be directly or indirectly caused by some form of alcoholism: Acute gastric catarrh, chronic gastric catarrh, gastric dilatation, intestinal indigestion, constipation, gout, cholera morbus, chronic peritonitis, dropsy of the abdomen, catarrhal jaundice, congestion of the liver, cirrhosis, (liver), chronic tubal nephritis (chronic Bright's disease), chronic interstitial nephritis (chronic Bright's disease), diabetes mellitus, chronic bronchitis, congestion of the lungs, edema of the lungs, lobar pneumonia, fibroid phthisis (interstitial pneumonia), chronic valvular disease of the heart, dilatation of the heart, chronic fibroid heart, fatty degeneration of the heart, palpitation of the heart, arterio sclerosis, aneurism of the aorta, meningitis, brain fever, apoplexy, congestion of the brain, brain thrombosis and embolism (in youth), nervous vertigo, temulencia (a plain drunkard), mania a potu, delirium tremens, dipsomania (alcoholic insanity), imbecility and dementia often result from dipsomania.

Alcoholism predisposes to sunstroke, chronic pleurisy, inflammation of the nerve trunks, spinal congestion, spinal meningitis, spinal sclerosis (four forms, one of which is locomotor ataxia), disseminated neuritis, melancholia, mania (insanity), delusional insanity, phagedenic ulcer, various inflammations, a delirium that sometimes occurs after injuries and surgical operations (if an old drunkard sustains a fracture of a bone he is liable to go into delirium tremens; he may in this state attempt to destroy himself or those around him), erysipelas, blood tumor, fatty tumor, urinary calculus (from excessive mindlessness, acne rosacea (whiskey nose), mindlessness (alcoholic insanity), imbecility and dementia often result from dipsomania).

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MEDICAL STUDENT.

—Washington Star.

Edmund Clarence Stedman, the poet, delighted in telling that while in France he was standing on a country road admiring the landscape, when he noticed that the peasants who were passing doffed their hats to him. This attention was very flattering, until he discovered that he was standing in front of a roadside statue of the Virgin Mary, to which the peasants were showing their customary reverence.

IN AMERICA Chamberlain's Cough Remedy is a great favorite with the mothers of small children for colds, croup and whooping cough. It contains no harmful substance and always gives prompt relief. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

## A. V. GEAR NOW COMES INTO THE OPEN SEEKING OFFICE

## Kepoikai Asked to Take a Large Political Risk Galbraith Makes False Charges Against the Chief Justice.

The two Gears and Kepoikai have been in consultation during some days past on the subject of the Assessorship. Monday last George Davis informed several people that A. V. Gear was to have the job. Yesterday Gear announced that he had not been a candidate but would be "now that the Advertiser had attacked him." As a matter of fact he became a candidate about as soon as the chance for somebody to get an appointment appeared but did not want the fact known until everything had been fixed up with Kepoikai. It is probable that if Kepoikai appoints Gear in opposition to the wishes of the Republican organization, his chances of getting the Maui Judgeship will go by the board. In fact, such an appointment would bring a variety of pulls to bear against him at Washington, especially to urge the passage of the proposed law giving the Governor the power to summarily remove the heads of departments.

It is generally reported about town that Gear supported the Home Rule ticket at the last election. His paper gave only a perfunctory aid to the Republicans and led the fight for a contest against the winning ticket, devised in the Home Rule interests.

## THE GALBRAITH INTERLUDE.

The chief political sensation on the streets yesterday was the opening of Galbraith's campaign for renomination in his coarse attack upon his associates on the Supreme Bench of the Territory. An eminent lawyer, expressing the common professional view, said yesterday: "In his minority decision, Judge Galbraith holds that one of the charges

found established against the respondent was blackmailing the Oahu Railway & Land Company out of \$5,000. He says that Mr. Dillingham, who acted for the company in the transaction, is the father-in-law of the Chief Justice and the Chief Justice is also a stockholder and trustee for the bondholders of the Oahu Railway & Land Company."

"Now, as a matter of fact, Davis was not charged with blackmailing the Oahu railroad out of \$5,000 or any amount. No such charge was made or proved against him and the only thing about the railroad was lodged in by Davis himself. That is the manner in which Galbraith arrives at his criticism of Frear. The whole attack on Frear is based on that point."

The attorney pointed out further that one distinct point against Galbraith is that he takes far more pains to attack his fellow judges, than to discuss the merits of the case. He has gone out of his way in many of his opinions to make personal attacks upon them.

"The reason is very apparent," he continued, "that he is seeking political capital for renomination for himself and others of his ilk, in the hope that the other members of the Supreme Court will not be reappointed so that he can make a political bench of it. One of the chief requisites on the bench is courtesy towards fellow members, but following the lead of Humphreys and Gear, Galbraith's work on the bench has been nothing but scurrilous abuse toward the judges with whom he is associated. This was one of the marked features of Humphreys' administration on the circuit bench."

## CONGRESS MAY CONTROL

(Continued from Page 1.)

privy the territory of Home Rule. Chairman Hamilton, of the House territory committee, and Representative Robinson, Democrat, but chairman of the sub-committee in charge of the electric bill, both expressed to me the view that that is what the situation may develop. They say that the amendments, which must be added to the franchise bill before it can become law, are a virtual assumption of legislation for the islands, which the territorial legislature ought itself to have attended to. It is believed that this view will eventually be moderated but the conditions just now can not be overlooked.

The bill was brought into the House last Wednesday under bad auspices. Ex-Gov. Powers, of Maine, one of the strongest men on the territories committee, had told his associates that the measure ought to be more carefully considered, and safeguarded. He was very busily engaged on another committee, hearing arguments in a contested elections case, and while giving Hawaiian matters usually very close attention himself, had not done so in the case of the electric bill. He was much surprised to see the bill called up before the House without some modifications. Then Representative Lilley, of Conn., a member of the territories committee and a new member of the House, thought some of these modifications should be made. He could have accomplished this without an open fight on the floor, had he been a little better informed about the ways of doing business in Congress. But not finding certain members of the committee willing to yield quickly to his suggestions, he hastened to Representative Payne, of New York, the floor leader, and others, quick to take up the game of battle. With such men opposed there was no chance of the bill passing the House and they forced it back to the Committee for further consideration.

The debate on the bill was largely of an explanatory character. After the bill had been read and all the reports and correspondence affecting it, Mr. Payne began to ask Mr. Robinson questions about the terms for which the charter was to run. "Why did the Committee on Territories recommend this period of thirty-five years for this franchise, which seems to be an exclusive franchise practically?" said Mr. Payne, who then observed that there was nothing in the report, on the bill to contradict a statement made in a report of the legislature that the citizens of Honolulu are opposed to anything beyond a ten years franchise.

Mr. Robinson assured Mr. Payne that that statement was contradicted in the context of the report, preceding and following the passages to which Mr. Payne referred.

Mr. Payne expressed surprise at such a statement from Mr. Robinson who said that that passage was probably put in the report to placate some member of the Hawaiian legislative committee as he signed the report for the passage of the bill.

"And not because it was the right thing to do," observed Mr. Payne in reply.

"The Delegate of the Hawaiian Islands is here introducing this bill," said Mr. Payne, "asking to have Congress approve this act. It may be that the citizens of Honolulu do not know that it is necessary to have the act approved."

"I am sorry," replied Mr. Robinson, "that the gentleman from Hawaii is not here to defend this bill, but we must do the best we can in his absence, and we will try to give the gentleman of the House all the light we can."

At this there was a howl of laughter on both sides of the House, the members having read in the local papers how the Delegate had insisted on passing the bill.

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## PRACTICAL TREATMENT OF SMALL FARMER QUESTION

The annual report of the Farmers' Institute includes the following practical remarks on small farming by men who have tried it. Franz Buchholtz is quoted as follows about the agricultural development of South Kona, Hawaii.

Mr. Franz Buchholtz opened up a discussion on the possibilities of the agricultural development of South Kona, Hawaii, by covering carefully his experiences there. He said in part:

"The agriculture of these islands is at present in its infancy. There are splendid agricultural and garden facilities in Kona. Sugar, as also coffee, is grown there with marked success. Rubber trees planted eighteen months ago, are now fifteen feet in height. Apple trees, imported three years ago, are thriving, the finest grades of grapes were planted, and some of the vines of the Muscatel variety attained a length of thirty feet in six months. I now have a large crop of grapes. Strawberries grow all the year round; figs and pineapples grow with remarkable celerity. Celery and potatoes come up very well, but turnips spoil easily. Sugar beets attain an immense size. Sugar cane grows finely to an elevation of two thousand feet, especially the yellow bamboo variety. Roses and violets, as do other of the finer varieties of plants, do unusually well. With a little care they grow profusely. With proper men, and transportation for the products, there is no limit to the agricultural possibilities of Kona. The soil virtually is good. I think in time to come Kona will be the farming district of this country and the district to supply Honolulu with food stuffs. Cultivation is cheaper there than anywhere else in the islands."

Mr. Buchholtz went on to emphasize the fact that one of the greatest drawbacks is the low price offered for products in this market, and the high rate of freight to be paid to transport the products to market.

## THE CASTOR BEAN.

At the first annual meeting of the Farmers' Institute, Mr. C. Koelling spoke as follows on the Castor Bean:

On the 1st of January, 1898, I started a castor bean plantation on the Kaneohe Ranch Co.'s lands in Koolau-poko, Oahu, with a view to manufacturing castor oil for commercial and medical uses, and to this end imported the best machinery known for this purpose, viz: a set of hydraulic presses, Edgesone's, a 10-horse power engine and boiler from England, and an extractor worked by benzine from Austria. The capacity of this machinery is one ton of beans in twelve hours. I have manufactured as good castor oil as is produced anywhere else for medical and commercial uses. I have also exported to San Francisco, and received a fair price, but at present all the oil manufactured is sold in the islands, not having enough castor beans to manufacture for export.

We all know that in starting a new industry we are apt to make mistakes; that means money lost. At first I planted the trees from six to ten feet apart, but that proved too close; the trees could not develop properly, the lower limbs being deprived from getting enough air and sunshine to develop bunches. The picking of the ripe bunches was more difficult than it should be on account of the closeness of the trees. At present I plant 14x15 feet on rich soil, and 20x12 feet on average soil; this space allows of cheap cultivation by plow, harrow and cultivator. The trees begin to bear eight or nine months after planting; their best yield being from second to fifth year. At an average reckoning, after the first year, they yield about 3,000 pounds of clean beans to an acre, worth about \$50 to \$60 per ton.

The growing of castor beans, I believe, could be very successfully done by the small landholder. A man will take care of from five to ten acres and send his produce to the mill for spot cash. It would certainly be a great benefit to the home-steader to grow castor beans. I will get ready cash, and the article is such that it will not spoil after being ripe and can be shipped when convenient.

## FARMERS OF HAWAII TO MEET

The Farmers' Institute is sending out the following circular:

Honolulu, Hawaii, Jan. 20, 1904.  
Dear Sir: The Second Annual Meeting of the Farmers' Institute of Hawaii will be held at Kanehameha Schools, Honolulu, on Saturday, January 30, 1904. There will be afternoon and evening sessions. The afternoon session will begin at 3 o'clock, and is a business meeting. All active members are urged to be present, as business bearing directly on the future organization and policy of the Institute will be brought before the Society.

The evening session will begin at 7:30 o'clock and an interesting program has been arranged. It will consist of an address by the President, Mr. Jared G. Smith; a report from the Hilo Agricultural Society, Reports from committees on "The Planting Seasons" and "The Beautifying of Country Roads," and a paper by Prof. F. G. Krauss on "An Agricultural Training Necessary for the Farmer of Today."

Out-of-town members are kindly requested to send their names to the Secretary should they desire entertainment during their stay in Honolulu.

Very truly yours,

D. L. VAN DINE,

Secretary Farmers' Institute of Hawaii.

Among the passengers who are traveling through on the Coptic is Earl H. Shaw, a son of the United States Secretary of the Treasury. Shaw is a young man who is on his way to Japan where he will be in the staff that represents the United States in immigration matters.

With a number of others of the younger set of passengers on the steamer Mr. Shaw had a dinner at the Alexander Young Hotel last night. Among the number were Mr. Ashton, who is en route to the Orient for Collier's Weekly and will take pictures for them in the event of war; Mr. M. J. Finley, a former newspaper man of Manila; Mr. Cullen, of the local immigration station force, and a couple of other passengers.

Mr. Shaw expressed himself as intending to see just as much as possible of Honolulu last night and during the time today before the steamer resumes her voyage to the Orient.

The list of silent great men is a long one. Especially is this true of notable warriors. Wallenstein, Wellington, Von Moltke, Grant, Marlborough, Charlemagne, Hannibal, Caesar, all gave their orders in as few words as possible, and demanded like brevity from their subordinates. It is said that Marlborough never allowed more than a minute for a verbal report, and it is told of Von Moltke that when an aid-de-camp brought a written message that France had declared war, the great general simply ordered it filed in the "second pigeon-hole on the right, first tier." In that pigeon-hole were complete plans for the successful campaign that followed.

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## Your Sugar Crop

Depends on the right quantity and quality of Ammoniates (it has to be fed upon). Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

## Nitrate of Soda

(The Standard Ammoniate)

fed to each acre of growing cane, will give surprising results. Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on post card.

WILLIAM S. MEYERS,

Director.

12-15 John St., New York, U. S. A.

## SITUATIONS WANTED.

A SITUATION as sugarboiler by competent and experienced man. Address A. B. this office. 6824

## Hamburg-Bremen Fire Insurance Co

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein, on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., AGTS

## German Lloyd Marine Insurance Co

OF BERLIN.

## Fortuna General Insurance Co

OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,

General Agents.

## General Insurance Co. for Sea

and Land Transport. of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO.,

Agents for the Hawaiian Islands.

## "The Overland Limited"

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To the EAST via

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This Train is really a

First-Class Modern Hotel

with Handsome Parlors, Drawing Rooms, Bed Chambers, Boudoirs, Libraries, Smoking and Reading Rooms, Barber Shops, Bath Rooms (hot and cold water), superbly appointed Dining Rooms, glittering with Mirrors, Cut Glass, Fragrant Flowers, Electric Candelabra, etc.; Promenades, Observation Rooms, Electric Lights, Electric Fans, Telephones, Electric Reading Lamps, Perfect Heat, etc.

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Omaha, Neb.

Agents in Charge.

Governor Carter instructed heads of departments who saw him off for the steamer, at his office yesterday, that, if anything "got into a snarl" with them, they should consult Attorney General Andrews. He also placed the band under the Attorney General's direction.

PNEUMONIA always results from a cold or an attack of influenza. Chamberlain's Cough Remedy quickly cures these ailments and counteracts any tendency toward pneumonia. It is made especially for these and similar ailments and can always be depended upon. For sale by all dealers and drug stores. Beware of cheap imitations. Agents for Hawaii.

## MEHEULA'S TRIAL SET

The Japanese peonage case went to the jury, with Judge Dole's charge, about six o'clock yesterday evening. J. W. Cathcart had made a closing address of considerable length for the defendant. District Attorney R. W. Breckons speaking more briefly for the prosecution. At 9:30 the jury had not returned from dinner at one of the hotels.

At 11:25 p. m. the jury brought in a verdict on both counts, "Guilty" as charged in the indictment. Judge Dole yesterday morning sentenced Kingo Ueda, under his plea of guilty to indictment for perjury, to imprisonment at hard labor for twelve months and payment of one dollar fine. The offense consisted in giving a wrong name to the immigration officials and swearing that he was the husband of a woman arrived from Japan.

Solomon Meheula, clerk of the House of Representatives, pleaded not guilty to indictment for destroying public documents, he being a public officer. His trial was set for April 18, being at next term of the Federal court. Mr. Ashford, counsel for Meheula, offered to waive reading of indictment, but Mr. Breckons successfully objected that the offense being a felony, the formality could not be waived.

## Talks on Samoans.

Miss Valeria Schultze, a recently returned missionary from Samoa, lectured last evening in the German Lutheran church on "Samoa and Samoan Missions." The audience was not as large as it should have been, but quite a sum was realized for the fund which will be used to establish a German Home on Molokai.

Miss Schultze is an entertaining talker and she also had a most interesting subject. The history of Samoa from the first arrival of the English missionary in 1830 was detailed by the speaker, who also threw much light on the habits and characteristics of the native Samoan. Miss Schultze said that the missionaries met with early success and that marvelous progress was made in converting the Samoans and that in a comparatively short time the natives were Christianized.

The evangelistic work assumed such large proportions that a German mission was established to aid in the work. This has been a great success, not only in Samoa, but elsewhere in the South Seas as well. Miss Schultze said that in the many villages of Samoa, each had a church and a native pastor. The pastor was also the school teacher. She told also of the establishment of a Boy's High School where carpentry, blacksmithing and agricultural pursuits were taught. "The Samoans are lazy," said the speaker, "but the missionaries are hard at work trying to make them industrious."

Miss Schultze said that the education of women in Samoa was one of the greatest problems the missionaries had to contend with. She was sent out by the German society in 1890 to teach higher education to them. The chiefs had discouraged the project as well as the missionaries already resident there.

The chiefs shook their heads and asked "Why educate the women, they can't become pastors?" The women were free and independent, like the birds of the air, said Miss Schultze. "But as soon as they are married they lose all their liberty. They go about unkempt and untidy and give up all the finery they enjoyed before their marriage. I asked one of them, 'Why don't you dress neatly now as before?' It is all right for you, but see when a girl gets married and she still wears all her finery she is pointed out as a woman for whom one husband is not enough and who wants to attract others, too."

Miss Schultze said the school established had been a splendid success. At first the girls were shy, but now they see that their brothers are getting superior ways and they want to try the same thing. Miss Schultze said she was surprised somewhat at the civilization shown in Hawaii.

## Off for Hawaii.

Louis Meyer of the Advertiser staff left on the Kinau yesterday to accompany Governor Carter and Secretary Atkinson on their tour. He will write of the trip, of the needs of the country and the people en route and keep an eye on small farming as well as on the plantations. Mr. Meyer will send newsletters by each mail during the three weeks of his absence and use the wireless when occasion requires.

## Civil Service Examinations.

The annual examination for the establishment of eligibles for appointment to the position of deputy officer, clerk and day inspector in the classified-Customs service in this city will be held at the High School on Emma street on the 13th day of February, 1904, commencing at 9:30 o'clock a. m. On this day and date, and at the same time, and at the same place there will be held examination for Postoffice clerk and letter carrier in the classified Postoffice service in this city. Applications for these examinations must be made on United States Civil Service Commission blanks, form number 101. Such blanks can be obtained at the office of the secretary of the Board of Examiners at the Custom House. Applications will not be accepted unless received by the secretary before the hour of closing business on February 11th, 1904.

IN AMERICA Chamberlain's Cough Remedy is a great favorite with the mothers of small children for colds, croup and whooping cough. It contains no harmful substance and always gives prompt relief. Sold by all dealers and druggists. Beware of cheap imitations. Agents for Hawaii.

## HAWAII, THE SUN LAND, IS GOD'S COUNTRY OF HEALTH

Mainland Tourist Companies Advertise the Islands as an Attractive, Sunny, Flower-Laden Country, Fit for Tourists.

"The Collier Foreign Tours" is the title of an attractive brochure which is being distributed in Honolulu at the hotels and elsewhere, and which refers to the islands as "Hawaii, the Sun-Land." The cover indicates that the tour includes Hawaii, Japan, Manila, Hongkong, Shanghai, Canton and Macao. The tour is to start from San Francisco on March 5, under the direction of Leon Collier, and will end at the coast on June 15. The Doric will bring the tourists here, and the party will remain in Honolulu from March 12 to March 22. Mr. Collier aptly describes the Islands thus:

"Hawaii, the Sun-Land. As hard to imagine heaven without happiness as Hawaii without the charm of eternal summer. Palms and flowers! Picture both, and there is no uncertainty about Hawaii. Saint and sinner alike may hear the welcome—'Aloha!' (Love to you!) from the throat of a flower-decked native, and enter the country of po and pleasure, careless ease and coconuts and drink the balmy ocean breezes in."

## GOD'S COUNTRY OF HEALTH.

The mean of Honolulu temperature for 1902 was 73.87 degrees, maximum 90 degrees, minimum 53 degrees. At this temperature human life thrives the best. The natives tell the tale. Straight-limbed and strong, ideal physical specimens.

## A TRIP TO HAWAII.

Have you ever heard on shipboard the cry, "Land," and away on the horizon seen that thin line of promise? Imagine the promise of Hawaii, the wonder-world, where nature's abundant beauty lives in flower, leaf and graceful tree. A riot of color ranges far beyond the palette's limitations with such subtlety the most appreciative study is defied. And through all, from translucent purple mountain shadows to the dreamy charm of noon-tide, surf-line and sparkling wave-crest, a fascination and strange suggestion of quiet luxury. For the artist color is triumphant, for the musician nature's softest tones, and for the poet the suggestion of all-surrounding sea, and mighty mountain fires. But for ordinary travelers, such as you and I, there is a people peculiar in custom and life, a country of rest, yet full of interest in rich commerce as well as in natural wonders.

Honolulu, the commercial, with a well-defined ebb and flow of wealth from four continents over great ocean highways. From her own riches she exports a vast store of sugar, coffee, bananas, coconuts and rice. Electric lighted, with ocean cable, telegraph and telephone, steam and electric railroads, the most modern and beautiful of hotels. Honolulu is thoroughly abreast with civilization.

One would little think that near by was a tame volcano with the largest active crater in the world. Kilauea is easy of access for the tourist. Good hotels, good roads and guides make easy the way for a peep into the everlasting fire of a real volcano. Even women and children may make the trip. There has never been a fatal accident.

Some of the older craters are much larger than Kilauea. Hawaii boasts of the largest extinct as well as the largest active crater in the world. And here also is the highest mountain in all the Pacific, Mauna Kea, 13,600 feet above the sea. Like most of the mountains in Hawaii, this may be easily ascended on horseback by those who like exercise. Some people are attracted by the semitropical vegetation of this fortunate island; the coconuts and bananas, tree ferns, and many palm trees.

For those who like sport there is shooting and fishing, and the ordinary

## Crying for Help

Lots of it in Honolulu, But Daily Growing Less.

Backache is one of the first indications of kidney trouble.

It is the kidney's first cry for help. Heed it.

Doan's Backache Kidney Pills are what is wanted.

Are just what overworked kidneys need.

They strengthen and invigorate the kidney; help them to do their work; never fail to cure any case of kidney disease.

Read the proof from a Honolulu citizen.

Mr. Charles Comey, of Cyclometer street, this city, one of the many persons who have tried Doan's Backache Kidney Pills with great advantage, relates his experience thus: "I have been a back driver for a number of years and this is a so occupation in which, through exposure to weather and much jumping up and down from the vehicle, one is particularly liable to kidney complaint. I suffered myself from a lame back for a long while, and in my anxiety to get rid of it tried several things which did not reach the root of my trouble. An advertisement acquainted me with what grand work Doan's Backache Kidney Pills were doing, and I got some of them at the Hollister Drug Co.'s store. I used them and with very much profit, for they relieved my back wonderfully."

Doan's Backache Kidney Pills are for sale by all dealers or sent by mail on receipt of price, 50 cents per box by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands. Remember the name Doan's and take no other.

games of the United States. To these must be added the best surf-bathing in the world. Who has not refused to believe the picture of a native Hawaiian erect on a surf-board, triumphantly riding the crest of a great wave rolling toward shore? Only an expert can do that trick, but even a novice may experience some of its exhilaration by the help of a native surf-boat and strong-armed rowers.

After a visit to Hawaii, however short, one is apt to appreciate Mark Twain's well-chosen words:

"No Land in all the world has any deep, strong charm for me but that one; no other land could so longingly and beseechingly haunt me sleeping and waking, through more than half a lifetime, as that one has done. Other things leave me, but it abides; other things change, but it remains the same. For me its balmy airs are always blowing, its summer seas flashing in the sun; the pulsing of its surf beat is in my ear; I can see its garlanded crags, its leaping cascades, its plumed palms bowing by the shore; its remote summits floating like islands above the cloud rack. I can feel the spirit of its woodland solitude; I can hear the plash of its brooks; in my nostrils still lives the breath of flowers that perished years and years ago."

(Mark Twain's words as above do not follow the original. They were sent out from here in the above manner and no correction has ever been made.)

Tuesday, March 22nd, the steamer Nippon Maru, of the Toyo Kisen Kaisha Steamship line leaves for Yokohama.

## SIX TOURS ARRANGED.

The Nippon-California Tour company, of San Francisco, Boston and Los Angeles, has arranged six personally conducted tours to Hawaii, the reading matter in their very attractive brochure being identical with that in the Collier booklet, both of which are well illustrated with views of all the countries mentioned above. The Nippon-California company makes use of the steamer Alameda both ways on the short tours, and the Sierra, Ventura and Sonoma for the return trip to the coast on the long tours. The rates are as follows:

Short tour, all necessary expenses included, \$175; long tour included, \$300.

The Tourist Company advertises:

## WHILE IN HAWAII.

We stop at the new and elegant "Alexander Young Hotel." Its manager is Mr. H. Wingate Lake. No more need be said—both the Alexander Young Hotel and Mr. Lake are features of the trip. Their reputation for treatment of guests is proverbial. No visit to Hawaii is complete unless one stops at the Alexander Young Hotel and is entertained by its genial manager, Mr. Lake.

We visit Waiolua, a delightful trip of 50 miles on the Oahu Railway, passing through Ewa plantation on Pearl River Harbor.

There will be a carriage drive to the chief points of interest in the city of Honolulu, to the Kamehameha school, Moanaloa Estate, Bishop museum, Oahu College. Also a drive to Nuuanu Pali, Manoa Valley, Punchbowl, Mt. Tantalus, Waikiki and Kapiolani Park, also electric car ride to Pacific Heights.

For those who are booked for the long tour, and who desire to make the Volcano trip by the Wilder Steamship Co. steamer "Kinau" from Honolulu to Hilo, special arrangements will be made. The cost of this trip will be \$40.00 extra.

Included in the fare of \$175.00 for short tour and \$300.00 for long tour from San Francisco back to that point: First class steamer and hotel accommodations for the entire itinerary, carriage rides, etc. There will be no night travel other than on steamer, thus ensuring the maximum of traveling comfort.

Baggage allowance to the extent of 350 pounds. A steamer trunk and hand bags for each passenger is all that will be needed on steamer, any larger trunks being sent to Honolulu if desired. All transfers and portage of hand baggage as well as the large pieces; all transfers between hotels, stations and wharves.

In short, every expense is included if one excepts the necessarily personal matters of wines, washing, and the steamer steward's fees.

Caution. No refund can be made on account of excursions or rides not taken by members. The company cannot hold itself responsible for expenses occasioned by the irregularity or changes in schedule of steamers, imposition of quarantine or any casualties beyond its control. Should the company consider it advisable to withdraw the tour herein announced on account of war, quarantine or any other cause (of which, however, there is no likelihood), the return to members of all moneys paid shall be made by the company from all liability in respect to such tour.

## PAHOA WATER PLANT BOUGHT

The purchase of the Pahoa water works, for the price of \$75,000 provided by the Legislature, was consummated yesterday. Superintendent Holloway made payment out of the loan funds. The plant is situated in the Kaimuki tract, having been erected by Gear, Lansing & Co. for the benefit of purchasers of lots there. It will be used to supply the Diamond head reservoir, also to irrigate Kapiolani park. For these purposes some considerable expenditure on mains and connecting pipes will have to be made.

## CUTICURA REMEDIES THE SET

Consisting of CUTICURA SOAP, to cleanse the skin, CUTICURA Ointment, to heal the skin, and CUTICURA RESOLVENT, to cool the blood, is often sufficient to cure the most torturing, disfiguring skin, scalp, and blood humours, rashes, itchings, and irritations, with loss of hair, when the best physicians, and all other remedies fail.

## Millions of Women Use Cuticura Soap

Exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations, inflammation, and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many negative and positive purposes which readily suggest themselves to women, and especially mothers, and for all the purposes of the toilet, bath and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath and nursery. Thus it combines in ONE SOAP all ONE PRICE, the best skin and complexion soap, the BEST TOILET and BABY SOAP in the world. Sold throughout the world. "All About the Skin," poet free of Aust. Depot: R. TOWNS & Co., Sydney, N. S. W. So. African Depot: LANKON LTD., Cape Town. POTTER DRUG AND CHEM. CORP., Sole Exports, Boston, U. S. A.

## PUNAHOU INVESTIGATES HOME STUDY OF PUPILS

Editor Advertiser: The question

whether the school children have too much home work has been investigated at Punahou. A plan similar to that used at the High School but a little more comprehensive was used. A paper of twelve questions was sent to the parents through the children. The first two questions were: 1. Approximately how much time does your child spend in actual study outside of school hours? Is this study concentrated and attentive? 2. Is this too much? The remaining questions were so framed as to make it possible to suggest a remedy in the cases where the pupil was overworked. As the answers to these latter largely concern the administration at Punahou, they are not of general interest and are not given in this letter.

In the Punahou Preparatory school, letters were sent out to 126 parents, some representing several children, and ninety-eight replied. Of these ninety-eight, two or two per cent say that the amount of home study required is too much; seven or seven per cent make no specific statement that the amount required is too much but object on general principles to home work in any amount; five or five per cent state that there is too little home work. Of all the parents replying, therefore, only nine per cent by the most liberal interpretation object to the amount of home work. This leaves ninety-one per cent who do not support the contention raised. The evidence is almost overwhelming.

In the college, where the stress is heaviest, a slightly larger percentage thought that their children spent too much time in study outside of school hours. The parents of twelve students, out of about ninety, were of this opinion; of these twelve students, only five are students doing the regular work; the other seven are taking special courses, some in excess of the regular requirement and others with less than the required amount. The five regular students represented eight per cent of the parents and five per cent of the students; the seven irregular students bring the total up to nineteen per cent of the parents and thirteen per cent of the students. In other words, eighty-one per cent of the parents of children in the college who replied do not believe that their children have too much home study. An analysis of the replies in the cases of the other nineteen per cent shows that the causes of the overwork in several instances are readily explainable and are a reflection on the system or the teachers. In the cases of the five regular students, one parent thinks that one and a half or two hours of outside study sufficient; as this time is hardly enough for the preparation of four studies in senior year, the alternative is to take a fewer number of subjects each year for a larger number of years. This plan meets with my approval and is the one advised in not a few instances where health or other reasons make it desirable. In accordance with this, several students are now taking five years for the course. Two students of the five have during the last term repeatedly asked me for the privilege of taking a fifth subject; a conflict in the program was all that interfered. The cases of the two other students demand more than passing consideration; one, who with first rate ability, spends an excessive amount of time in the preparation of her work, is blessed or cursed with an unwillingness to lay aside the lesson until every detail is mastered. But this pupil refuses to admit what both parents and teachers insist is plain that she is overworking; the other spends a good deal too much time in her preparation largely on one subject, mathematics, which she finds most difficult.

The seven irregular students include two who are preparing for college and who are carrying one extra subject, two whose parents say that the time required

is not excessive for an ordinary student but that their children either from inadequate preparation, lack of quickness of perception or poor application do spend more than a fair amount of time, one who is only occasionally over-crowded before days with congested program, and one whose parent believes in the plan of fewer subjects and larger number of years, and one who is a special with two subjects who in addition to the free periods requires four hours of concentrated study.

A glance shows that most of these are practically removed from consideration. The college preparatory students have their subjects and courses set by a higher authority; the one who has occasional hard days is preparing for college also and is taking an unusual program; arrangements were already being made, when this question came up, by which the one who wished it could have fewer subjects; the case of the special, who with two subjects uses up a total of over six hours in preparation, needs no explanation; the cases of the students who use an irrational amount of time for reasons within themselves have been receiving careful study for some time.

Of course, these comments are only explanatory of causes which affect the situation in varying degrees. Every thing possible will be done in every case to bring the greatest measure of relief and assistance to those who need them.

Considering the two schools together and taking the most liberal results from the preparatory school, the conclusion is that 87 per cent do not think that their children have too much home work. While the general result is not far from what was expected some of the information obtained and suggestions received makes the investigation valuable. If it has brought to our attention the case of one child for whom we can provide relief or from whom we can get better results, it has been worth while.

I was impressed with the candor of the replies from the parents and with the variety and breadth of the suggestions. There was practically no evidence of curtness on the spirit of complaint. This conference with the parents has been exceedingly suggestive to me and has brought to my attention, on one hand, some matters for which I fear there is no immediate relief and, on the other, others whose correction, I hope, will benefit Punahou.

There is one phase of the subject which has not been fully brought out which has a direct bearing on the question in Punahou, especially in the College. Our standard is set for us by the Eastern colleges for which we are preparing students. It is not possible for us to diminish the number of the subjects, or the amount required in each for those students. Statistics are not obtainable below the Junior year in the college as many students do not decide about going to college until the beginning of the third year. But among the students in the Junior and Senior classes, 51 per cent are now planning to go to college. The colleges include Harvard, Yale, California, Wellesley, Stanford, Bryn Mawr, Cornell, and Michigan. As it is our policy to prepare for these colleges in the broadest way, the matter of too much home study can only be remedied by the student's taking an extra year in preparation.

My only excuse for using so much of your space is the general interest which the question has aroused.

A. F. GRIFFITHS.

Little Amel (who has an inquiring mind) "Uncle Timrod, what's a bonanza?" Farmer Nickwosh (painfully experienced) "A bonanza, durn it, is a hole in the ground, owned by a liar. That's what a bonanza is!"—Ex.



# THE OLD RELIABLE

## ROYAL



# BAKING POWDER

Absolutely Pure

## THERE IS NO SUBSTITUTE

### TAKEN OFF A SINKING SHIP

On board the five-masted schooner W. E. Marston, Captain Curtis, is a man who has spent nearly all of the past thirteen years as a carpenter on board ships commanded by the Marston's skipper. He is working as carpenter of the schooner at present and only recently finished a fine sideboard for the saloon of the vessel. It is not strange that this carpenter, whose name is John Holson, should stay so long under Captain Curtis, for the latter once saved the life of Holson and twenty-one other persons during a very heavy gale off Cape Horn. On September 24, 1890, Captain Curtis, in command of the American ship Belle of Bath en route from Portland, Oregon, to Havre, France, sighted the ship Charles Dennis off Cape Horn. The Charles Dennis was very low in the water and was showing signals of distress. At this time a tremendous gale was blowing. It seemed that a boat could not live for a moment but Captain Curtis launched one and after hard work succeeded in rescuing the crew. The Dennis was sinking and it was probable that all of the twenty-two persons would have perished had not the Belle of Bath hove in sight in time to rescue them. Captain Curtis landed the rescued people, except Holson, at Rio Janeiro, but Holson wished to stay by his rescuer and shipped in Rio Janeiro to continue on the voyage to France. Captain Curtis was given a medal in recognition of this life-saving feat.

### TEREDOS THRIVE IN THIS PORT

In the rebuilding of Honolulu wharves the contractors have discovered that many of the piles supporting the old wharves were badly damaged by the teredo.

The teredo does more damage in the ports of tropical countries than in those of colder climates. In New England it grows to only a small size and is feeble and able to do but little harm, but in Hawaii it grows to a large size and a hundred or more of the little borers are able to take a lot of strength out of a pile in a few months' time. It is said that the teredo grows as large as from three to twelve inches in length here and sometimes as thick as from three-eighths to half an inch in diameter. One open nail hole on a sheet of copper sheathing of a pile will allow the teredo access to the wood and free to pursue its work of destruction. It is said that in a year's time one of them will excavate a cubic inch of wood from a pile, if all of the wood taken out were considered as a solid piece.

The piles now being driven here are heavily sheathed with copper and no nail holes are supposed to be in the metal except those occupied by a nail.

### OVER SEVENTY TRIPS TO HAWAII

Over at the Railway wharf the small, rakish appearing barkentine Kikikat is discharging a cargo of lumber. This in itself is nothing unusual, for many sailing vessels discharge cargoes of lumber there but there is an unusual man in the crew at work there. Down between piles of lumber on the ship where the donkey engine furnishes hoisting power for the work, is Captain Cutler in charge of it. He is commander of the Kikikat, and a mariner who has made more visits to Hawaii than any other captain in port. Cutler has entered Hawaiian ports over seventy times with cargoes of lumber. He has brought over thirty-five million feet of Sound lumber here, according to a rough estimate, and from his appearance at present is capable of bringing as much more. Although an old man now he gets right in among his crew and works just as hard as anyone in his employ.

### Many Stowaways From Here.

Among steamship men Honolulu is getting about as bad a reputation for stowaways as some of the towns along the Suez Canal, a place where every vessel that passes is infested with miserable people who are anxious to get to any other portion of the world than around Suez. Hardly a vessel leaves Honolulu that does not carry a stowaway or two. The Alameda has two watchmen at each gangway prior to sailing from this port but despite this fact stowaways get aboard. On the last trip from Honolulu a sailor stowed away here and showed up after the vessel had been a day at sea.

"How did you get aboard?" asked an officer of him.

"I carried a saloon passenger's baggage up the gangway for him," said the sailor, "and I did not go back to the wharf again."

### Naive Dropped Dead.

Kanlanee, a heavily built native, dropped dead yesterday afternoon at a point mauka of the Honolulu Iron Works in Kakaako. His body was taken to the morgue and a post mortem examination made after which it was stated that the cause of his death was heart disease. The man was at one time an employee of the Board of Health.

## FIVE YEARS BUILDERS AND TRADERS

### For Crime Against Morals and Nature.

John Hull was put on trial before Judge Robinson yesterday morning for selling liquor without a license. Deputy Attorney General E. C. Peters appeared for the Territory, and J. L. Kaulukou for the defendant. The following jury was empaneled: Arthur W. Ripe, J. C. Cohen, Edw. Dekum, Hiram Kaaha, Wm. Dunbar, James Nott, Jr., W. L. Fletcher, Geo. B. McClellan, John Isaac, John C. Lane, Albert Lucas and Willard E. Brown. A verdict of guilty was returned and sentence set for this morning.

### UNNATURAL CRIME.

John Christa was tried, convicted and sentenced yesterday afternoon for a crime against public morals and nature. Mr. Peters prosecuted, and L. M. Straus defended the accused. The following jury after an absence of ten minutes, returned a verdict of guilty: J. C. Cohen, W. L. Fletcher, Arthur W. Rice, Geo. B. McClellan, Albert Lucas, J. M. Duesett, Wm. Dunbar, John Isaac, H. C. Brown, Willard E. Brown, Hiram Kaaha and Edward Dekum.

Defendant, in answer to the usual question why sentence should not be passed upon him, said he had been in the country eighteen years and never before violated any law. When asked to account for his presence in a box car at the Honolulu railroad station on November 24, he said that having missed the Ewa train Sunday he was waiting for Monday morning's train. Judge Robinson quietly observed, "The 24th of November was a Tuesday," at the interpretation of which to him in Portuguese the defendant shrugged his shoulders.

Judge Robinson spoke to the prisoner of the detestable nature of the offense. Its penalty under the law was a fine not to exceed one thousand dollars or imprisonment not to exceed thirty years. The fact that he had a wife and four children would be taken into consideration, and the sentence of the court was that Christa be imprisoned at hard labor for the term of five years.

Christa came to town from Olas district about three months before the commission of the offense and went to work on Ewa plantation. His wife had not been living with him for some time. Mr. Peters, in arguing for a severe sentence, gave him the character of a loafer.

### CAUGHT UNREADY.

The covenant suit of Kapolani Estate vs. Manuel Gomes was dismissed by Judge De Bolt, because the plaintiff was not ready to proceed to trial. S. H. Derby for plaintiff said there was no use in drawing a jury, when the court had ordered this done, as he had no case to present. J. M. Vivas for the defendant said the case had been pending a long time and, after some debate, he moved it be dismissed. It was so ordered. The suit was for \$1000 damages on account of buildings pulled down contrary to the terms of a lease.

### COURT NOTES.

Judge Gear gave judgment for \$21.20 and costs \$28.30 in favor of plaintiff in the suit of Wing Wo Tai & Co. vs. Chang He. Benj. L. Marx for plaintiff; Robertson & Wilder for defendant. Jury was waived.

In the injunction suit of S. M. Ballou vs. Mutual Telephone Co., Judge Gear has allowed defendant ten days more time from Jan. 24 in which to answer the complaint or take other steps.

### CHAS. B. WILSON IS GIVEN TIME

Superintendent C. S. Holloway stated yesterday that the announcement of a commission having been issued to Captain Sam Johnson as road supervisor of Honolulu was premature. It would probably come, but he had given Mr. Wilson time for appeal from the decision of the Republican Central Committee.

C. B. Wilson addressed a protest to Clarence L. Crabbe, chairman of committee, claiming that there has been no compliance with Governor Carter's request that the committee pass upon the matter of his continuance in the office of road supervisor. The ground of protest is that Joseph A. Gilman, W. H. Hoogs and Henry C. Vida were not qualified to vote in the committee.

The election yesterday of the Builders and Traders' Exchange was signalized by the return of Mr. Ouderkerk to the directorate who went out of the Exchange when, during the boom of 1900, the visiting mallhins from San Francisco disturbed labor conditions here. The choice of Mr. Craig as president has a somewhat similar significance. Following is the result of the election:

President, J. H. Craig; First Vice President, W. W. Harris; Second Vice President, W. C. Weedon; Treasurer, Robert Catton; Directors, Stanley Stephenson, Marston Campbell, G. F. Bush, John Ouderkerk, L. E. Pinkham; Inspectors of 1905 Election, E. G. Keen, A. F. Clark, Thos. Sharp.

The membership of the Exchange remains about stationary. It is the desire of the organization to get ground floor quarters and the Committee on Rules has recommended that a place be found near Fort street, not below Merchant nor further up than Hotel. The expense will be larger but it may be defrayed by subleasing some of the room or by letting advertising space on the walls.

### LEGISLATIVE WORK.

Following is the report of the Legislative Committee:

Honolulu, H. T., Jan. 19, 1904.

Pres. A. Gartley and Board of Directors, Honolulu, H. T.

Gentlemen: Your Legislative Committee has attempted much work in the past year and accomplished much. We secured the passage by the recent Legislature of an efficient labor law.

The Legislature failed to act on the proposed Building and Plumbing regulations.

They should be presented to the next Legislature and enactment urged.

We have endeavored to strikingly place before Congress the financial status and material needs of the Territory. Our action has been in the line of custom in all States and Territories.

Our efforts have been confined to the only proper and becoming channel, the medium of our Delegate to Congress.

Bills have been introduced by the Delegate in the House of Representatives for public buildings in Honolulu and Hilo.

Work is being done to forward measures for a breakwater at Hilo.

We have endeavored to secure to those who constitute the citizenship of the Territory the patronage of the Territory.

We are now endeavoring to secure to citizens the patronage of the Federal government, depending more on Executive orders than legislation.

We have and do recognize the labor situation on plantations.

Our position is one of discouraging and opposing Orientals leaving the plantations, for other employment or occupation.

The carrying out of our efforts tends to force the Oriental back to the plantations.

To all Congressmen, Federal and local officials, our representations have been toward the freest employment of all races of Orientals on the plantations under the existing laws or such more favorable laws as Congress may choose to grant.

The Builders and Traders' Exchange stands for the application of American principles to these Islands, making proper allowance for existing conditions, and under these principles as ordered by the Exchange the Legislative Committee has acted.

Yours truly,  
L. E. PINKHAM,  
Chairman.

### YOUNG CHINESE LICENSED IN LAW

Anthony Lee Ahio was yesterday licensed by Chief Justice Frear to practice law in all the courts of the Territory of Hawaii. Mr. Ahio is the son of a prominent Chinese merchant of Honolulu. He was locally educated at Oahu College, where he was first in oratoricals in the graduating class of 1897. At the commencement exercises he delivered an address on China which was applauded and admired, both for its matter and delivery, by all who heard it.

After leaving Oahu College Mr. Ahio went to Cambridge University, England, where he took the degree of B. A. He returned to Honolulu in 1901 and took up business with his father. A legal practitioner advised him to take up the law. He went into Thomas Fitch's office for a few months and then gave up the pursuit of Blackstone a while. For the past two months Mr. Ahio resumed his legal studies with the result of passing a creditable examination before the Justices of the Supreme Court.

Mr. Ahio speaks English fluently and with Old Country polish at that. Before he left for Cambridge he was an enthusiastic cricketer, besides owning property in other many sports.

## WARM TIME AT KAIMUKI

### Mrs. Redhouse Answers Writ of Possession With Weapons.

"Kaimuki" signifies "a hot oven" or something like that. Probably it was a warm spot before vegetation, in the form of tarantula and wild grasses, covered its bareness. That new residence tract is keeping up the tropic significance of its name, notwithstanding the vegetation and the cool breezes from Palolo valley, as a scene of eviction troubles. There was a lively one there yesterday. It is not long since Judge Humphreys, when on the bench, "sweated" three prominent real estate men for their action out there in dislodging a woman who had been a tenant by sufferance.

Yesterday Deputy Sheriff Chillingworth sent officers Van Giesen and Mekeha to Kaimuki to serve a writ of possession in favor of Cecil Brown in his suit against J. W. A. Redhouse, the plaintiff being the purchaser of the property at a foreclosure sale. In yesterday's court report appearing this morning it will be seen that Redhouse filed a bill of exceptions to judgment. It is said, however, that the exceptions are outlawed by lapse of time. Anyhow, the police department were not instructed to stay the writ of possession. H. M. von Holt, as the representative of Cecil Brown, accompanied the officers.

Arrived at the premises, the officers entered the house. They showed Mrs. Redhouse, her husband being absent, the writ of possession. Her response was the presentation of a revolver in their faces, that weapon in one hand while in the other she grasped a parlor rifle.

Mrs. Redhouse declared she had been instructed by her husband to shoot anybody who trespassed upon the premises, or entered the house without asking permission.

The officers eked out to the veranda on being confronted by the domestic arsenal, but only quickly to draw their revolvers and return inside. Covering the housewife with their weapons, they speedily caused her to surrender arms. The poor woman was so nervous at sight of the officers' weapons that she was powerless to raise her hands. She was sent to the police station, while the household effects were turned out upon the street.

When Mr. Redhouse went to the station to obtain his wife's release he denied having given the shooting instructions. But the police claim that he was seen buying cartridges in a downtown store a day or two prior to the episode at Kaimuki.

Mrs. Redhouse was not entered on the station house book as arrested.

### THE DECLINING WAR SPIRIT.

Wars and rumors of wars are getting to be like the cry of "Wolf" in the fable. There is much scare but no foray of the beast. Within the year everybody expected a war between Turkey and Bulgaria, but after a few frontier skirmishes and much intestine strife in the Ottoman province of Macedonia, the powers induced peace and the clouds dispersed.

Now we are having a sudden burst of friendly diplomacy between Russia and Japan. But a fortnight ago war was looked for within twenty-four hours. All the preliminary signs—vast purchases of war material, navies cleared for action, quest of loans, a belligerent press, a search for purchasable battleships and cruisers, the flocking of war correspondents to the front—all these signs were present. But now comes the sober second thought. The diplomats agree that war would be mutually disastrous and indecisive. They think they can reach a basis of compromise.

While, as pointed out elsewhere in this paper, the certainty of future friction between Russia and Japan may be taken for granted, the lesson taught by recent events cannot be ignored. War is not as popular as it used to be. Once it was the chief avenue of distinction, the one thing beside statecraft which employed great and active minds. Now there are many broad roads to fame and the best minds are engaged in commerce, which needs peace for its development. Furthermore, civilization has made other prizes than those of killing people and burning property, seem more attractive. Taking all these circumstances together with the further facts that most nations are so deeply in debt that they cannot get loans for war expenses—Russia and Japan are not wholly outside this class—and that the modern machinery of war is so terrible as to vastly increase the probable mortality of battles; and finally that the prizes of success are likely to be wrested from the victor as they were from Russia in 1873 and Japan in 1894, to preserve the balance of power—taking all these considerations into view and we find a trend of interest which, in the long run, may take a settlement of international disputes as surely out of the sphere of public war as a settlement of personal disputes has been removed from the sphere of private combat. Long ago the law stepped in between individuals, with their full consent and by their aid, to erect the court of justice. May it not soon intervene between quarrelling nations, to establish a like tribunal?

By her Attorney-in-fact, W. O. Smith.

Rev. and Mrs. O. P. Emerson had a narrow escape from serious accident yesterday. They were driving down lower Lunalilo street, close to the Rapid Transit track. A car was going down the grade behind them, and a safe distance away, the motorman sounded the gong. Mr. Emerson did not hear the warning until the car was almost up to the buggy, when he suddenly turned his horse to cross the track. The imminence of a crash was such that men sprang across the car aisle to see it and be ready to assist the couple when thrown out, while women in the car expressed their fears in screams. Throwing off the current and applying the brakes instantly the motorman checked the car, but none too much or soon. There was scarcely a handbreadth between the front of the car and the hind wheels of the buggy.

Public Works Going Ahead.

Cotton Bros. & Co. are about to proceed with their contract for constructing the extension of Queen street to Twelfth road, which starts from opposite the Hackfeld wharf.

The Brewer wharf construction will be advertised for tenders probably today. This wharf when completed will be the rendezvous of the Wilder Steamship Co.'s fleet.

The Walluku schoolhouse construction will be put out for tenders shortly. Superintendent Holloway has submitted the plans to Superintendent Atkinson for approval by the Board of Public Instruction. It will be a handsome one-story structure of rustic Hawaiian stone.

F. M. Smith, formerly Asst. Manager of the Occidental Hotel at San Francisco and the man who opened the Moana, is coming on the Sonoma to take charge of the Royal Hawaiian Hotel. Col. Macfarlane left the choice of a manager to Gen. Warfield and to Mr. Lilienthal of the Bank of California, and those gentlemen selected Mr. Smith. The new manager of Honolulu's oldest hotel has a wide acquaintance among San Francisco and Island people and in the Army and Navy. He is regarded as a first-class hotel man, most of his experience having been gained in hotel service under the late Major Hooper.

### BY AUTHORITY

### MORTGAGEE'S NOTICE OF INTENTION OF FORECLOSURE AND OF SALE.

Notice is hereby given that, pursuant to the power of sale contained in that certain mortgage dated May 31, A. D. 1899, made by Elizabeth K. Smith, wife of George W. Smith, of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagee, to Mary J. Alexander, Mortgagee, and recorded in the Register Office, Oahu, in Liber 194, pages 40-43, the Mortgagee intends to foreclose said mortgage for condition broken, to-wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by the said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Kaimukuu street, Honolulu, on Saturday, the 4th day of February, 1904, at 12 o'clock noon. The property covered by said mortgage consists of:

First. All that certain piece or parcel of land situate at Pauwela, Hamakua, District of Makawala, Island of Maui, Hawaiian Islands, containing an area of 46 acres, 3 chains and 65 fathoms (more or less), and being the same premises described in Royal Patent No. 144 to Paale and conveyed to the mortgagee by Kila Brooks and George Brooks, her husband, by deed dated November 28, A. D. 1895, and recorded in the office of the Registrar of Conveyances in Honolulu in Liber 158, pages 366 and 367.

Second. All that piece or parcel of land situate at Kamaole, Kula, Island of Maui aforesaid, containing an area of 5 acres (more or less), and being the premises described in Royal Patent (Grant) 392 to Piliplili, also all those pieces or parcels of land situate at Hamakua, said Island of Maui, and being parts 1, 5 and 6 of Royal Patent 2168, Land Commission Award No. 3329 and 6613 to Paale; Part 1 containing an area of 86-100 of an acre; Part 5 containing an area of 5-100 of an acre, and Part 6 containing an area of 3-24-100 acres; said premises described in Paragraph Second being the same premises conveyed to said Elizabeth K. Smith by deed of Kila Brooks and husband, dated July 28, 1896, and recorded in the Register Office, Oahu, in Liber 164, pages 131 and 132.

Third. All and singular that parcel of land situate at Kaula, in said Honolulu, bounded and described as follows:

Beginning at the east corner of this land, being the west corner of Makalane Lane and Kuakini street, and running:

N. 41 deg. 20 min. W. 161 feet along Kuakini street;

S. 53 deg. 00 min. W. 110 feet;

N. 41 deg. 00 min. E. 118.5 feet along Lot 3;

N. 44 deg. 20 min. E. 113 feet along Makalane Lane to the initial point; containing an area of 12,058 square feet (more or less).

And being the same premises conveyed to said Elizabeth K. Smith by deed of Jesse F. Makalane, dated June 1, 1899, and recorded in the Register Office, Oahu, in Liber 235, pages 214-216.

Together with all the rights, easements, privileges and appurtenances thereto belonging.

There is a comfortable cottage upon this last mentioned house-lot on Kuakini street between the residence of Mr. P. C. Jones and Liliha street, and the premises together afford a very desirable opportunity for investment.

Terms: Cash United States Gold Coin, Deeds at the expense of purchaser.

For further particulars apply to W. O. Smith, Judd Building, Honolulu. Dated Honolulu, January 6, 1904.

MARY J. ALEXANDER, Mortgagee.

By her Attorney-in-fact, W. O. Smith.

Office Call.

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